LADY JEAN

A STUDY OF THE DOUGLAS CAUSE

PERCY FITZGERALD

J. Paterson
With best Wishes
Xmas. 1902

LADY JEAN

BY THE SAME AUTHOR

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ARCHIBALD, FIRST LORD DOUGLAS.

Frontispiece.

LADY JEAN

THE ROMANCE OF THE GREAT DOUGLAS CAUSE

BY

PERCY FITZGERALD, F.S.A.

AUTHOR OF "FIFTY YEARS OF CATHOLIC LIFE"
"THE LIFE OF GARRICK," "THE KEMBLES"
"KINGS AND QUEENS OF AN HOUR"

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Introduction

THE exciting story of the Douglas Cause, now for the first time related in these pages, has always attracted the attention of sagacious observers, who have followed its mysteries as a tantalising and almost insoluble problem. It is curious that, where almost every romance of the kind has been debated and explored, this should have been completely overlooked for a period of nearly a hundred and forty years. I was lately much interested to find that in the year 1860 the romantic instincts of THOMAS CARLYLE—that shrewd observer and most dramatic critic—were aroused by a casual encounter with a little book on the subject. He writes to a friend of his discovery. "We got a Book (one of the many Books, I think it is Boswell's) on the *Douglas* Cause not very long since; and were reading it: I wonder if the *Signet Library* (should one survive, and have liberty to read for amusement!) has got all the books on that *Douglas* Cause? That of Boswell's, which is merely the spoken opinions of all

the judges, leaves one quite in doubt as to the Yes or No of spurious birth." He is quite right here as to Boswell's authorship, while nothing can be more sagacious than his estimate of the value of the judges' opinions, which in truth give little or no light. But he also pierced to the very root of the matter, laying his finger on the crucial difficulty of the case, which I frankly confess I have found difficult to reconcile with the theory of imposture. "But another Book, a Pamphlet, consisting of letters from *Lady Jean to her Husband*, nearly all addressed to 'the Rulers' (perhaps Rules) of the King's Bench Prison, nearly altogether convinced me that *spuriousness* was inconceivable on the part of two such persons, especially on her part, and have left me with the notion of looking into 'the 1200 quarto pages of Evidence, some day when I can get hold of that Publication, and have *time* for such a recreation." Alas! how interesting is all this speculation. We have lost something, it is clear: for the subject had caught his fancy, and we, likely enough, have missed a vividly glowing and most dramatic account of the whole, after the pattern of his "Diamond Necklace." It should be noted, however, that at the time he wrote he was quite unaware of the notorious character of the husband, which he would have found it difficult to reconcile with the pleasing conjugal picture. This mass of evidence—the 1200 quarto pages alluded to—are significant of the involvement created by the claimant: for, on the assumption of innocence, the case would have been

simplicity itself. The testimony of physicians, the the official registry of the birth, the evidence of nurses, landlords, &c., would, if *en règle*, have been irrefragible. Instead neither correct place, nor time, nor doctor, nor nurse, nor proper registry of baptisms, was to be found. Phantom persons, something like what was required, were at last discovered, but not in the flesh. They were only shadowed forth by others.

I am aware that my view of the matter may not be acceptable to those interested in Lady Jean and her family. I can only say that every statement is founded on the printed evidence in the case. The crucial point of the whole will be found to be this : that Lady Jean was herself accountable for the imputation, as she purposely enveloped her proceedings in clouds of mystery, and acted throughout from beginning to end in a fashion that could only be explained by imposture.

Athenæum Club,
October, 1904.

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CHAPTER I

THE DOUGLAS FAMILY

"THE great Douglas Cause," as it was always called, is often alluded to in current literature; but, beyond the general outlines, very little is known of the story. And a most exciting romance it is; all the turns and changes are surprising and unexpected; the characters dramatic, and the final issue given, as I expect to prove, altogether against the "weight of evidence" and the probabilities of ordinary life. At the time the question arose, which was about a century and a half ago, it really attracted the interest of all Europe, an unusual thing for a case of pedigree. Abroad, of course, the amount at issue and the rank of the families were duly magnified. Every one was talking of "the Cause" or speculating over it. Perhaps English persons have had their curiosity most excited by the share "Jemmy" Boswell had in the business; and who can forget the amusing scene at Inverary Castle when he was so decidedly "cut" at her own table by the spirited Duchess of Argyll? This has always seemed a piece of unmeaning

rudeness, until we come to read the case, and learn how much this noble dame figured in it, and how violently feelings and passions were inflamed by it.

It is extraordinary that hitherto no detailed account of this most interesting struggle has been given. I have before me now some eight or ten massive quartos, each of about a thousand pages, which contain the pleadings, speeches, and evidence taken by the Scotch and French Courts. Such a body of testimony is rarely found. It also furnishes weighty proof of the admirable Scotch system of law—everything is so thoroughly and regularly explored—though it must be said the judgments of the Lords of Sessions seem superficial.

The whole attraction of the case centres in two daring persons who conceived and carried out the scheme. Most of all in the woman—an intrepid, persevering, patient adventuress—of sweet disposition; pale, delicate, and past middle age, yet full of a youthful energy. She was of high rank, with Royal blood in her veins—refined; interesting nearly every one she encountered; braving hardship, rough travel and general misery with dauntless courage, all for the scheme she had undertaken, though she was destined to die before seeing the happy issue of the unlawful game she had played. She was associated with a rough sort of "swashbuckler"—as great a boaster as Bobadil himself, a gambler, and spendthrift, who was ready to dare everything in the cause. They had faithful Scotch confederates, who clung to them

and supported them "through thick and thin," and to the very death. As we shall see, the plan was to "impose" suppositious children as heirs to a fine inheritance, and by a strange chance they succeeded.

The present Earl of Home represents the fruits of this wonderfully romantic "Cause," which now, one hundred and forty years old, brought peerage, estates, and castles into his favoured family. The hapless boy who gained the day in 1769, son, as it was decreed, of a poor outcast lady of quality, after a disastrous childhood, spent with a starving mother and a father confined to a debtor's prison, found influential friends to fight his battle and to win it. Though the superstitious may be inclined to note something ominous in the complete failure of male heirs and in the passing away of the estates from the Douglas line.

As I have said, all the characters concerned in the drama are of a romantic sort. What a many-coloured career was that of the Duke of Douglas! When he was only a youth, his guardians obtained for him from Queen Anne, the patent of a Dukedom, dated 1703, also a Marquisate, Earldom, and Viscountcy, which seems an unprecedented thing. During the rebellion of 1715, he took the field against the rebels, and joined the cavalry as a volunteer. But there was something wild or barbarous in his nature—something of the old type of Highland chief or catamaran. He was long unmarried and remained so for the greater portion of his life.

To this sister Lady Jane, or Lady Jean, as she was called, he was strongly attached. He made her a good allowance which he later increased to £300 a year.[1] He was a weak and eccentric personage; his life was a strange, wild one, full of troubles. He was particularly jealous and sensitive—imagining that conspiracies and plots of all kinds were going on against him. Living in this solitary way, he, as was natural, fell under the domination of servants and dependants. One of these was said to rule him completely. This man, by and by, saw a dangerous opponent in Lady Jean, and never ceased pouring into the Duke's ears all the damaging stories against her that were whispered about.

Lady Jean was the only daughter of the second Marquis of Douglas, and was born on March 17, 1698. Her father died when she was three years old, and she was brought up by her mother in a castle close by Edinburgh. She was certainly a heroine of the first water, and we can at least admire her indomitable courage, her resolution for good or ill, and her affectionate disposition, which gained her so many friends. We may all but pity her weary life of sorrows and sufferings, in which the tortuous courses

[1] That the Duke was determined that his sister should succeed to the estates and be otherwise handsomely provided for is shown by his settlements. On March 15, 1718, three deeds of entail were prepared, by which in failure of heirs male, he settled on her 30,000 marks; in the same year he renewed his settlement; in February, 1736, he engaged to pay her £300 a year.

of herself and her husband involved her. She was handsome, interesting—much admired and had many offers. It was said indeed that the heirs of three Dukedoms had proposed to her. One offer came from the heir of the noble House of Buccleuch.[1] He is described as a "foolish scatterbrain." There are many stories connected with the breaking off of this marriage, one setting it down to the lady herself, the other to the account of the suitor's family. The Duchess of Queensberry, it was said, had designed the Earl for another, Lady Jean Douglas, her own sister-in-law, and had resort to an artifice to effect her purpose—writing a forged letter in the young suitor's name pleading another attachment, and desiring to be released. The stories of Lady Jean's behaviour in

[1] The Duke of Buccleuch was, as Lady Louisa Stuart says, "A man of mean understanding and meaner habits." When he was a youth and Lord Dalkeith, a match was arranged between him and our heroine, which was to be the first of the mysteries that enshrouded her life. But after a time it was broken off. We find the Duchess of Buccleuch in February, 1720, writing to Sir James Mackenzie of "a most agreeable undertaking she was about —which was the projected marriage of Lord Dalkeith with Lady Jean Douglas—a young lady whom she had heard much commended before she saw her, and who since had lost no ground with her." Later we find her regretting the breaking off of the marriage which she imputed to the Duchess of Queensberry, who thwarted it to promote that of her sister-in-law, who married Lord Dalkeith in April, 1720. At the time of this incident Lady Jean was but twenty-two. Such a public mortification, in the presence of her friends and the world must have affected her character seriously—if it did not change it. (Fraser's "Book of Grandtully," p. 306).

the affair of the young Lord Dalkeith were gross exaggerations, and she appears to have behaved with propriety. During the cause it was stated by Sir Adam Ferguson, one of the counsel, that on the eve of her marriage she had eloped to France disguised in men's clothes. But later in the case, Islay Campbell, who appeared for Archibald Douglas, defended the lady, and stated that "she had been brought up by her mother in principles of the strictest piety, which she always retained. This incident was now used to her discredit, though in part the result of high spirits and youth; and the truth was that when the marriage was at hand she was stopped on her way to Court, and a letter from her lover handed to her, begging to be released, as he had long been attached to another. There was nothing to be done but submit, but she was so mortified that she could not face her friends, and thus fled in disguise. Her mother pursued her to France and brought her back." The Duke, her brother, brought Lord Dalkeith to account, and fought a duel with him. This official statement may be accepted as true. The marriage with the Queensberry Lady Jean took place in April, 1720.

It was strange to find brother and sister both set so strongly against marriage—though such large estates were dependent upon their leaving heirs, and which in default of heirs must pass away from the family. It seems unaccountable. Here was a woman extravagant, always pressed for money, and who was

actually next heir to her brother—while her children, no matter who she married, would inherit through her most of the Duke's estates and dignities. Here was a simple remedy for her difficulties—yet for some secret reason she would not marry. Could it be that through some incapacity or illness she had found that she could never have children?

There is another heroine whom Lady Jean Douglas will often bring to our minds—who was of the same type—whose wrongs were great, but whose cause was weak—the celebrated Teresa Yelverton, an extraordinary woman whom I knew, and indeed whose cause I had advocated in print. She had been beguiled by a lordly suitor into a sort of fictitious marriage.[1] There was very much that was alike in the two ladies, particularly that self delusion which overpowers facts and truths by feelings, and Mrs. Yelverton came at last to believe firmly in all that she put forward.

After this escapade, and the death of her mother, Lady Jean fixed herself at a place called Drumsheugh House close to Edinburgh. Meanwhile the years had been passing swiftly over her head, and she was nearing fifty. She was extravagant and fond of pleasure, and described in one of the official papers of "the Cause" as being "endowed with many extraordinary qualities. The remarkable talents bestowed on her by

[1] Charles Dickens, like all the world, was deeply interested in it, and for him the author wrote for the *All The Year Round* a rather vivid description of the scene of the trial, and which travelled round the kingdom.

nature were improved by education. She was handsome in her person, affable in her manners, and of a most engaging address. But together with these accomplishments she was of an artful and enterprising temper, distinguished from her early youth by a certain extravagance of conduct, profuse in her flattery to a degree of meanness, and of a disposition remarkably insinuating and insincere." Indeed, that amusing gossip and artist, Charles Kirkpatrick Sharpe, goes so far as to say that her character was light, and that she was notorious for her gallantries.

Never indeed was there a more persuasive, sympathetic, and interesting adventuress, if one may call her so. She had "great elegance of style, the most insinuating address in conveying to the minds of others the ideas which she wished them to entertain. She was at the same time mistress of a considerable degree of penetration into the characters of others, and of great discrimination in disguising her own."

The versatile Sir Herbert Maxwell has recently issued an account of this great family, in which he devotes some pages to the "Cause," and furnishes many new and curious details. Quoting from one Wodrow he describes the Duke as ever a distempered, clouded, somewhat crazed being, inflated with pride and intolerant of opposition. A strange barbaric incident that took place only a few years after Lady Jean's adventure, proves this clearly. Captain John Ker, a natural son of Lord Mark Ker, was on a visit at the castle, and finding the Duke completely under

the rule of a low dependant, remonstrated with him. "The poor Duke," says Wodrow, "who for many years had been crazed in his brain, told this familiar, Stockbrigg, who persuaded him that this was a personal insult that could only be wiped out in blood. On which he proceeded to Ker's room and stabbed him as he was sleeping." Such is Wodrow's account. But the gossiping Charles Kirkpatrick Sharpe, who was well acquainted with tales of this kind, gives another version of the tragedy.

"The Duke was a person of the most wretched intellect, proud, ignorant, and silly, passionate, spiteful, and unforgiving. He possessed a handsome form, and was much about Court in the early part of his life, where Lady Jean, his sister, made a conspicuous figure, being a creature of much beauty and sweetness, and drew him into a duel with Lord Dalkeith, whom she jilted on a romantic punctilio concerning one of his former amours. Some years after this Lady Jean commenced a flirtation with a cousin German of her own, a Captain Ker, and the Duke, who was as jealous of his sister as if she had been his wife, or perhaps thought she was about to degrade her family (concerning which they all made a ridiculous clamour on every occasion), resolved to get to the bottom of the affair. He watched the young man the night before his departure from Douglas Castle so narrowly that he saw him enter Lady Jean's dressing-room in order to bid her farewell, and, seized with the most diabolical fury, stabbed him." Shocking as all this

appears, it was but a lingering remnant of the old Scottish feudalism. This was about the year 1726. There were other deeds almost as violent reported at the time. The Duke fled to Holland, but after a few years returned, and no notice was taken of his act. If Ker had been Lady Jean's admirer, as represented, it was natural that this murder should have caused a breach between the brother and sister. She then went to live with her mother, no doubt dreading to remain under the same roof with so violent a being. Nor did she during their many quarrels fail to remind him of what he had done, and that he was still accountable to the law. Ten years later there came an open rupture. The Duke had, in one of his violent fits, beaten one of his dependants, which revived the old Ker story, and, as C. K. Sharpe tells us, Lady Jean wrote to her brother warning him not to go to Edinburgh, as there was still an angry feeling abroad as to the murder. It was more likely, however, that, indignant at his renewing such violence with a chance of another scandal, she had taunted him and thus inflamed him. He had given her a house at Edinburgh and was going to see her there. "On arriving he was told that she was gone to Lord Ross's. He rode out thither. It was a Sunday, and was told she was at church. He then asked to see Lord Ross, and was told that he was not well enough to see company, on which the Duke rode away perfectly furious."

We are told of the mob gathering outside his lodgings and about to break in when he threatened

them with his pistol. He imagined that it was his sister who had set them on. Indeed the Duke told Hamilton, the minister at Douglas, that he had learned she had applied to the Duke of Argyll for a warrant to shut him up—"confining me as a madman, and *she* to sit down on the estate and take possession of it." Stockbrigg, his familiar—always her enemy—encouraged or prompted all these stories. Another notion was that she wished to kidnap him and carry him off to St. Kilda. These were not mere delusions. Some years later her friends were actually writing to her suggestions for getting the Duke restrained. And it was still remembered that Lord Grange, a most violent man, had kidnapped his own wife and immured her in a prison on one of the Hebridean isles.[1]

Stockbrigg used also to tell of a scene which took place between Lord Haining, the Duke's counsellor, and Lady Jean and Lady Mary Hamilton. They had gone to him to complain of this Stockbrigg. Lord Haining defended him "when the two ladies took up the poker and tongs and threatened to beat his lordship. Lady Mary said angrily to her friend: 'You should have taken better care of the Duke when you had him in your hands—and poisoned him or carried him off.'" These stories from different sources seemed to support the idea that Lady Jean

[1] Boswell mentions this curious story. Lord Grange is not to be confounded with Lord Prestongrange who became Lady Jean's friend and adviser.

had some such notion in her head. She was at the time "hard up" and much devoted to pleasure and expense.

Greenshields, another of the familiars of the eccentric Duke, was with him through all the agitations of his strange life, and one of his most faithful lieges. "I was present," he says, "at a consultation between the Duke and Lady Jean and her sister in the Duke's lodging at the back of the Wall, Edinburgh, when she advised and pressed the Duke to marry." It was characteristic of the Scotch feudal relations that the masters and servants were on such terms that the latter could be admitted to the most confidential relations. It was like those of masters and servants in Molière's plays. "And he advised," he said, "and pressed her Ladyship to marry, and told her at the same time it was a matter of indifference which of them married: for if she had children they would *heir* the estate, and supposing he should marry and have children also, there would be enough for them both, and pressed Lady Jean much to marry, saying if she married either a nobleman or gentleman of character he would give her £300 sterling per annum to the £300 sterling she then had, and an estate."

Now this account of the worthy domestic gives a favourable account of the Duke as a very affectionate brother, who only needed encouragement and management. The servant went on to say that the pair "parted in great friendship. But the Duke returning to Edinburgh was met by an express with a packet

of letters from his sister containing communications from the Duke of Argyll, then Lord Islay. The Duke flew into a rage, tore some of the papers up—then, hesitating for some time as to what he should do, went back to Edinburgh. These letters, the servant heard, "were artfully and groundlessly contrived by Lady Jean out of her own head in order to have him confined that she might get possession of the estate." It is easy to see that she was attempting to scare him.[1]

[1] Archibald Douglas, one of his advisers, described one of the scenes, when the high-spirited Thane was stung to fury by the receipt of writs, &c., from solicitors, attaching the allowance which out of his bounty he gave his sister.

"I had the honour to be at Douglas Castle on Christmas last. I found his Grace much out of humour by an arrestment laid in his hands by Mr. Kerr as a creditor of Lady Jane's; and by the intimation made by Haldane & Robinson, of their having right to her ladyship's bond of provision. The Duke immediately went to his cabinet and took out *two bonds of Lady Jane's, which with interest came to about fourteen or fifteen hundred pounds*, and ordered me to put them on record much against my will as ground of compensation. But what inflamed his Grace more was that when Mr. Hamilton, of Inverwick, was decreed to give up the papers and settlements that were deposited in his hands, whereof his Grace had an inventory, his answer was *that when he was at London his cabinet had been broken up and the papers taken out*." From which we see that she was deeply in debt to her brother, that her annuity was charged, and that she resorted to a lawless proceeding to get the papers into her power. The Duke brought another against his sister and her husband for the recovery of the same. The court decreed against the pair, but without result. After her death the box was opened and the papers were not found, though compromising forged letters were. The deeds were settlements on Lady Jean."

"I have frequently heard," Greenshields stated, "people say to the Duke that these letters were artfully and groundlessly contrived by Lady Jean out of her ain head, in order to have him confined that she might get possession of the estate, which irritated him prodigiously against Lady Jean." The Hamiltons filled his mind with these ideas. The Duke, however, had always pressed her to marry, promising to make her children his heirs, but she could not be induced to do so, and was now, as I said, verging on fifty.

It would take long and much legal tediousness to explain the exact bearing of the numerous deeds and settlements executed and revoked by the Duke. But it should be marked how important was Lady Jean's position in regard to the estates. For in the year 1716, when she was a young girl of about eighteen, her brother had made a settlement of all the estate in favour of heirs male of his body, of which there were none nor likely to be: after failure of which it was to pass to Lady Jean and her heirs male and female. And in 1726, having made some large purchases of land, these also he settled in the same way. It was not extraordinary that such an heiress should have been sought by distinguished suitors. The lady, however, seems to have preferred her free and unrestrained life, and considering the amount of her debts, &c., must have looked forward wistfully to the succession. All which may explain those stories of attempts to have the Duke confined or restrained, which may,

or may not be true. We can conceive, however, the folly of the lady who could thus quarrel with and inflame a relative on whom so much depended. At last, it came to pass that in 1744, two years before her marriage, he virtually disinherited his sister, solemnly revoking all deeds hitherto made, with the view that his estates might descend to and continue with, the heirs of the ancient rights, *i.e.*, to the regular heirs. In which state of things, steeped in debt, all her prospects of relief cut off, even in case of her brother's death, how likely that she should cast about for some adventure or desperate method of repairing her fortunes! Marriage might be one of these methods, and how probable that an old admirer, who presently came on the scene, should have whispered to her a suggestion that there was but the one way to recover her brother's favour. Both knew that he cordially disliked the prospect of his estates falling to the Hamiltons, and that if he found his sister the mother of heirs male he must certainly relent. All this is of importance when we consider the extraordinary events that followed. Here was the sequence: the lady next heir—the estates settled on her; then a violent quarrel and annulling of the settlement. On which begins the long and elaborate series of schemes to get back the estates: the marriage—the production of children—twins, &c.

On her mother's death she had set up a household for herself at Drumcleugh House, close to Edinburgh. Here there were later to be some romantic doings.

She was as ardent a Jacobite as her brother was a loyalist, and after the '45 she here gave shelter to the well-known Chevalier Johnstone, who had been "out" with the Chevalier. He was brought there disguised in the rags of a beggar, and concealed for weeks in her house, only a faithful gardener being in the secret. She later contrived his escape from Scotland, taking him over to the Continent as her servant. By and by the doings of this strange woman came to a climax, and her friends were astounded to hear it whispered about that the erratic "Jean," now close on fifty, was married, or about to be married, and had gone away abroad.

CHAPTER II

COLONEL STEWART OF GRANDTULLY

LADY JEAN had a cousin—John Stewart of Grandtully—who was brother to a Baronet, and known as Colonel Stewart. He had no title to that rank, though he had been a subaltern in the English Army. When the rebellion of 1715 broke out he joined the rebels, and had to fly to the Continent. He lived for many years in France and Germany and Holland, where he picked up acquaintances. He quarrelled with his brother. He spoke French in a sort of jargon in his rough-and-ready way; he was a sort of "*table d'hôte* major"—a gambler, also a spendthrift—was said to owe £70,000—and to be a liar ingrained. He could not write or spell decently. The Duke declared him to be "one of the worst of men—a papist, a Jacobite, a gamester, a villain"—and he was "all the ills in the world." In the law papers he is described as a younger brother without estate or profession, encumbered with debts. He had gone to the Swedish Court, where he had found employment in the army and obtained his rank.

He returned about 1735. This rather dilapidated adventurer had thus "knocked about" the world a good deal. He spent his time whenever he could in taverns and coffee-houses. Abroad or at home he found his way to such places, and was always at home there. He was to know all the arts of raising monies, by his own devices or by those of his wife. He was later to become acquainted with the King's Bench Prison, where he was long confined for debt, and was now a widower.[1] He had been an admirer of Lady Jean in the old days, and long after wrote for his son this account of her:—

"Know then, my dearest child, that at first sight your noble mother captivated my heart, and though I well knew the improbability, if not impossibility, of having my addresses to her hearkened to, after her having refused those of the Dukes of Hamilton, Buccleuch, and Athole, Earls of Hopetoun, Aberdeen, Panmure *cum multis aliis*: the strength of my passion brought me over all these difficulties, and forced me to make a respectful declaration of it, and I had the pleasure to find I did not incur her displeasure by my aspiring boldness, as I was allowed the honour of continuing my visits and respectful assiduities for two

[1] Colonel Stewart, later Sir John, was the third Baronet, being the second son of a Judge of the Court of Session, Lord Balcaskie. He was born on September 29, 1687. By his three marriages he was well connected, his first wife being a daughter of Sir T. Mackenzie, of Royston; his second, the sister of the Duke of Douglas; and the third, a daughter of Lord Elibank.

years. I then met with a strong and unexpected shock, from dear Lady Jean, which was sending me back many trifles which she had vouchsafed to accept from me, without giving any reason. And from that time I was forbid access. I had no return to the letters I sent her, begging to know in what I had offended, as I could not accuse myself in thought, word, or deed. After ten years' absence I was obliged to return, on the death of Lord Royston, father of my first wife, as my son succeeded to her fortune. Very soon after I had an obliging message from Lady Jean, telling me that, very soon after my leaving Scotland, she came to know she had done me an injustice, but she would acknowledge it publicly if I chose, as the undeserved shock was known; *enfin*, I was allowed to visit her as formerly, and in about ten months after she honoured me with her hand.

"In the unhappy situation of her affairs with her brother, we went together in poor enough circumstances. She had nothing but an annuity from the Duke, and my small patrimony, spent long before: only my son supplied me with what was of some use at that time, as Lady Jean was in some debt. On this narrow bottom we set out in a few days after our marriage for Aix-la-Chapelle, where, meeting with the Elector and Electress Palatine and Princess of Salms, who took particular notice of Lady Jean, this naturally led us into more expense than was convenient for our narrow funds. She and I both trusting to the kindness of brothers—she an only sister to a Duke, and I an

only brother to Sir George Stewart, who had no child, and had an estate better than £1,000, with many woods and other perquisites on it, to very considerable extent. But it unluckily happened that from bad advisers each of them seemed to out-do one another in unkindness to us : so of course we came in debts and difficulties which was attended with many unlucky consequences, especially as Lady Jean was by this time considerably advanced in her pregnancy.

"Well, with what we could muster up with the assistance of some friends, we set out, not for the South of France where a little money goes far, but for Rheims on our way to Paris, where the best assistance was to be had, &c."

Lady Jean's behaviour in this transaction—romantic as it may seem—might have been directed by a sort of self-interest, or may have belonged to some scheme that was then on foot. According to his account she capriciously dismissed him, giving no reason ; and it seems ten years actually elapsed before the matter was explained. So high-souled a dame, as she was described to be, would surely not have allowed him to quit the country for an exile of ten years without a word of explanation. When he returned, she sent him a message. Much, however, had occurred during the ten years. There had been the quarrel with the Duke her brother, which had destroyed all her prospects. She was deeply in debt and had grown to be an "old maid." It now might seem worth while to renew relations with this faithful admirer.

The Colonel, as we have seen, was an ardent Jacobite. It is difficult to follow his part in the rising, and it may have been that the marriage was in some way connected with his escaping from the country ; and this is supported by the assumption of false names, &c., on the journey. For the rising of 1745 had been only the year before. This makes her marriage even more improvident, and must have widened the breach between her and her brother. Only a foolish person would have closed her eyes to the fact that the Duke would never leave his estates to the children of a broken Jacobite, who was under the ban of the law. It is not unlikely that she also sheltered the Colonel under her roof at Drumcleugh, where the marriage took place.

The Chevalier Johnstone who was under weighty obligations to Lady Jean, might well entertain the most favourable opinion of her, and in his agreeable account of his adventures he has given an almost rapturous account of her character and gifts. He says: "She was idolised by her country folk, and possessed very good and amiable quality. She had been very beautiful in her youth and was still beautiful at the age of forty-five, appearing at least fifteen years younger than she really was, from her uniform temperature, regular, frugal, and simple way of living. She was virtuous, pious, charitable without ostentation. Her affability, easy, engaging manners and goodness of heart soon set at their ease those who paid court to her, whom her graceful and majestic air

might at first have rendered timid. Her mind was highly cultivated ; she had a decided taste for literature, a great memory, much good sense, a sound judgment and a quick discernment. She possessed great elevation of soul, and was even haughty and proud on proper occasions, supporting her illustrious birth with dignity."

A worse character than this Colonel it would be hard to conceive : adventurer, swashbuckler, gambler, spendthirft, infidel—strange claims to the affections of a lady of high rank and refinement. But he was worse than this. Every adventurer of birth and breeding will still cling to truth and honour as part of their heritage, but Colonel Stewart's falsehoods were almost legion, and remarkable for their variety and ingenuity. On his testimony, when one stage of the crucial proceedings was reached, rested the whole burden of his case ; he was examined several times over, and furnished an abundant amount of details : yet then occurred the unprecedented thing that his own son found it necessary, for the safety of the case, to throw over and throw aside the whole of his father's testimony as one tissue of falsehoods ! Both were well on in life—he about sixty, and she close on fifty. Love was out of the question, while the marriage was followed by mystery, concealments, and an abrupt disappearance. Though medical experience did not put aside altogether the chances of offspring, still in the common course such a thing, under such conditions, was looked on as exceptional, and all but impossible.

COLONEL (LATER SIR JOHN) STEWART OF GRAND TULLY, HUSBAND OF LADY JEAN DOUGLAS.

From "The Red Book of Grand Tully."

To face page 22.

When these two singular characters and their histories and situation before us, it becomes a natural speculation what could have induced them to take this step of marrying and joining their fortunes. Was it consistent, we might inquire, with an ordinary attachment or with the view of bettering their situation, or was it the opening stage of the long course of imposture which was to be imputed to them? On the first theory there was no conceivable object to be gained. Her situation was really almost desperate. She was steeped in debt and had been obliged to raise £700 of her portion of £1,000, nearly it all. The lender, though he was a friend, could get neither principal nor interest. She had given bonds to Wilson and others, who also were paid nothing and told to wait. After marriage it was one constant borrowing. She had borrowed from her own servant, from such noble Scotch friends as Lord Crawford, Lord Morton, Lord Blantyre, Mr. Wemyss, and others, who were not paid—with a constant anticipating of her allowance. On one occasion it was attempted to raise money in a quarter which had been already charged. This had an awkward look, but it may have been an accident. Peggy Ker, her servant, had to attach her pension from the Duke, which led to its stoppage. To her brother she owed a good many thousand pounds. The motive of her marriage was first to obtain the aid of some one who would stand between her and her debts. This protection had become as indispensable as it was obvious. But granting that Lady Jean, under

the circumstances, was justified in seeing "to better herself" by a marriage, why, will it be asked, did she not look for a suitable partner in the ranks of her own friends and equals? The logical answer is that a person of the Colonel's type was the best suited to carry out the design she had in view. One of the nobility would not be likely to lend himself to the strange machinations that followed. For we may assume that she must have known well that there was no likelihood of her having children, and that a suitable alliance would not have helped her designs.

In their adventure the pair had the support of some trusty adherents, who staunchly stood by them and their cause, from beginning to end, with a reckless fidelity that recalls that of Callum Beg, in the story. Foremost of these was Mrs. Hewit, an extraordinary character, of almost romantic trust, who clung to Lady Jean to the last, through all her troubles. She had known her when young, and was supposed to have supported her in her escapades when a young woman, and to have been her adviser in the marriage. When she went abroad Hewit went with her—all through her perilous adventure of the children Hewit was beside her, who swore to the last that "she had received them in her hands, as they came into the world, if she was to *stap* into eternity!"

The woman's character and low disposition may be fairly measured by her extraordinary letters, as well as by her familiar tone with the servants. One might almost take her for a servant herself. Her spelling

was not of that phonetic and unsettled kind which we find occasionally in well-born folk in the middle of the century, when for certain words the spelling had not been fixed. But this woman, it is plain, knew no spelling at all, and could hardly read and write. The matter of her letters was in harmony with the English, being vulgar, and the ideas low and mean. It is astonishing to find the refined and attractive Lady Jean making a bosom friend of such a person, and it is to be suspected that the necessity of having a thoroughly unscrupulous and devoted adherent made her overlook these defects.

She set off by herself, and with servants only, the Colonel joining her on the way, under a false name—Douglas. He passed as her *Maître d'Hotel.* It was already suspected both at home and abroad that there had been a secret marriage, and by an odd coincidence they met on board the packet a Scotch gentleman who recognised the Colonel. Why did they not stay in England and use their exertions to reconciling the Duke, which would be so difficult at a distance? The only solution that makes the thing at all reasonable is that the plot had been already devised.

CHAPTER III

MARRIAGE AND HONEYMOON

THE marriage took place on August 4, 1746. No friend, save one, or relation of Lady Jean was privy to or present, nor could it be expected that any would approve of a match so unsuitable in every respect. "Woe is me," wrote her intimate friend, Mrs. Carse, "that ever she should have blotted, nay ruined, her character so far as is a disgrace to the illustrious house she comes of! These are hard things for me to say of sweet Lady Jean Douglas." The only person present was Mrs. Helen Hewit. This woman, by having been so long about Lady Jean, had acquired a great share of her confidence. She was of a most intriguing disposition, and was with reason looked upon by Lady Jean's relations as having been "very instrumental in many of the improper steps which she had taken."

Keith, the clergyman who performed the ceremony, was, perhaps, a nonjuring Bishop. After the birth of the children, the Colonel thought it necessary to write to him for a certificate, assuring him that "care shall

be taken that it is never made use of to your disadvantage." He desired that it should be "in the strongest form, as you know there were few witnesses from her shyness and modesty." He calls her "the incomparable Lady Jean Douglas."

On the wedding-day a letter arrived from Leith with news that a ship they had been inquiring about, and was bound for Rotterdam, was to sail that very evening about four o'clock; on which their baggage was sent down and put on board. They appear to have started either on that or the next day, going to England by road. A curious party it was, consisting of the young man, Colville,[1] Mrs. Hewit, two maids, "Tiby" Walker, and "Effie" Caw. They went to Huntingdon, where they were joined by Colonel Stewart. A pass was procured in London from the authorities with which they proceeded to Harwich. On the road Lady Jean wrote to her friend Mrs.

[1] This was a young fellow, who became "Macer" in the Courts at Edinburgh, and who was devoted to her. It was this Colville who heard that the vessel for Rotterdam was to sail in the afternoon, of which he brought news to the Colonel and Lady Jean, and offered to put their baggage on board. He had heard from Mrs. Hewit that the marriage had taken place that very morning. He also travelled with her for a part of the way. It was Colville also who brought Lady Jean to her brother, and with her came two old servants, Mrs. Glass and Mrs. Burn. Years later Colville used to ride out before her at Hope Park three times a week. The last time he saw her was on her return from taking the Sacrament, which was only a few days before her death, when he carried her upstairs. By a curious chance, it was Colville also who acted as "Macer" at the action of "service."

Carse, wife of a collector of excise: "I have now, thank God, made out the journey thus far without any disaster. My good friend, Mr. Haldane, obligingly went the length of Bellanford, and when I parted with him I stayed a night with our cousin and namesake, Mr. Douglas, of Edrington, who went the next stage with me. We jog on by ourselves very easily, for I am no stranger to travelling, and Walter Colville performs his part well enough, though but a young traveller only. I am sorry now and then in thinking on my good friends and acquaintances whom I have left behind." To the same friend she confided that she had assumed another name, viz., Grey, to save expenses, but "did not find that I had much less to pay." Here is some artifice, this not being the true reason for her assuming a false name, for Colonel Stewart had done the same, and was passing as John Douglas. Indeed he had described himself as Lady Jean's "domestic." There was also one Johnstone, who joined them on the way and proved to be the Jacobite chevalier, whom she thus helped to escape.

After Lady Jean's flight her creditors seem to have "come down" upon such property as she had left behind her: Reid, her landlord at Drumcleugh, seized on the house, "an impertinent demonstration" as the lively tenant calls it. She had intended it for her friend, Peggy Ker. All the things in the house were sold by her direction. Her letters home to her friend Carse are really very sprightly and agreeable, and showed that she was an accomplished woman.

When she was at Harwich waiting to embark, she wrote a letter to an Edinburgh solicitor, full of anger and bitterness, and which seems to reveal quite a different being to the Lady Jean we know. He had written to her on the state of her affairs, which she had left in much confusion. She writes as the cruelly treated debtor, vituperating the persecuting creditors. His letters gave her some pain, as they were "full on my particular affairs, which I find by my sudden departure, have taken a most shocking turn, by that impatience and impertinence of some low insects, who unluckily had trifling demands, which I had destined a fund to answer against Martinmas next; but to prevent some demonstrations you mention from happening, I shall remit from Rotterdam, or give you a power to draw for any sum within one hundred and fifty pounds. I must think myself lucky to have found a friend in London who has given me credit, which will prevent the malicious intention of these low people from hurting my credit so much as they have intended." She fancied the solicitor might be a little doubtful about these assurances, so she assures him "this, sir, is no chimera but what you may depend on, and therefore I insist my brother may not be applied to at this juncture." Writing from the Hague to her friend Mrs. Carse, and telling her of all her crosses and adventures, she relates pleasantly enough how she was refused a pass to go forward either to Aix or to France. "I am extremely mortified," she wrote, "to find these unexpected accidents arise to prevent

my little scheme for health's sake taking place. Yet my vanity in considering that the trifling movements of *ladies* is believed by two great and wise courts of so extraordinary import, &c.," and again : " But to be more serious, I mention I shall not, for all the mighty notice that is taken of the *motions of the fair*, stay a great many days longer here." Thus artfully, and as it were in all gaiety, does she impress on her friend the notion that she was travelling *alone*.

To Haldane, her man of business, she also later wrote from Rheims on September 16, 1748 : " It is mighty certain that my anticipations were never in the marrying way ; and had I not at last been absolutely certain that my brother was resolved never to marry, I never should have once thought of doing it ; but since this was his determined, unalterable resolution, I judged it fit to overcome a natural disinclination and backwardness, and to put myself in the way of doing something for a family not the worst in Scotland ; and therefore gave my hand to Mr. Stewart, the consequence of which has proved more happy than I could well have expected." In another of her letters she had another story. She said " she had met accidentally with Colonel Stewart in the road ; and that, as it was necessary for a lady of her rank, when travelling, to have a gentleman along with her, and as the Colonel had offered his service and was master of the language, he had been with her ever since."

All which was deceitful enough and was told to a " bosom friend." The very elaborateness of her story,

and it seems a wholly needless one, is evidence of Lady Jean's general deceitfulness and purpose of "going through" with her purpose. It is rarely that we meet with an intended bride who proclaims that her purposed intention in wedding is to raise up heirs to inherit an estate. We should scarcely expect such an announcement from a lady of refinement. Still, even with so frank an avowal, it would have been wise to make the venture "safe," as it were, by taking care to secure that the conditions should be as favourable as possible. One would have counted, for instance, on a youthful bridegroom, instead of an antique and much-battered widower. But we can trace much further what was in this strange woman's mind. She must have been conscious that the reflection would have occurred to her friends (and to many others also) who must have wondered why one who in her prime had declined youthful and distinguished nobles, should now take up with an ancient *declassé* of this sort? To her friend and other inquirers she gave the answer given in her letter. For herself it was sufficient that what she wanted for her scheme was an unscrupulous companion who would protect and carry through the business.

Again, can we for a moment suppose that this lady was sincere in what she told her friend—that she was marrying with the view of securing heirs to the estate? We could understand it if she had said, as another sort of woman might have said, that "she was tired of a lonely life," or wished "to have some one to take care

of her, &c." But could she seriously hold out that such a result as a family was likely to be in her case? or that a woman past fifty could look forward to having children? or announce it as a matter of course? She must have known that such a thing was something in the nature of a prodigy, or quite exceptional. But from this it may be concluded that the scheme was already floating mistily before her eyes.

It might be urged, however, that she was really attracted by her old admirer, who is said to have been "a good figure of a man," and to have thought, as he was attached to her, she might be happy with him. But as we have seen, she had long ago refused him, no doubt for the reasons that she had refused many others. So well experienced a lady was not likely to marry for love.

Lady Jean, as will be seen, was a woman of very engaging and persuasive character, with a great art of making people her friends. In this crisis they stood warmly by her. In foreign countries even she contrived to cement friendships with the natives. She spoke French well, and was decidedly popular. This influence she put to profit. In her letters she always posed as the persecuted heroine—much suffering but uncomplaining, and she usually taxed these sympathies by constant borrowings, loans, &c. Indeed here are the preparatory elements for a scheme of deceit, and the alliance suggests that described by "Boz" of Mr. and Mrs. Lammle, in "Our Mutual Friend"—a penniless pair who took each other in, and then joined

their meagre wits to take others in. Lady Jean was the brain of the partnership, the Colonel was to be the active member of the firm and carry out what *she* devised.

It seems from Lady Jean's first letters from the Hague that she was then a gay and attractive woman enough, fond of men's society, as her warm praises and description of the young men clearly show. In the state of their *mènage* this sort of thing would be useful. The young Scots there and at Utrecht seem to have clustered about her, but had, as it were, to pay toll.

The world has somehow settled that a lady in debt and who borrows money "right and left" to supply her extravagance rather sinks below the highest ideal of heroine. As the craving for money becomes stronger with success, it brings with it at least a certain unscrupulousness and laxity of tone which by and by will cease to have limits. The spectacle of a lady of rank struggling with debts is not an agreeable one, and we recall Hogarth's famous picture of the "Lady's Last Stake."

Lady Jean's account of an admiring young Lord Blantyre, one of the students at Utrecht, is characteristic. We might wonder what brought her to this city, where the cold, she said, was intense; but she was lucky in meeting there a great many Scotch and English gentlemen. "They are indeed chiefly of the younger sort, who choose this place for their education" youths at the university, in fact "but they have

so great a share of good sense and so much wit they render themselves acceptable to much older people. Amongst the rest, young Lord Blantyre deserves justly the greatest praise. But I am not capable of drawing characters well, the want of which talent I mightily regret since it deprives me of the pleasure of doing justice to the most promising young gentleman I ever saw in my life. He has extremely good sense, the best scholar, the greatest application, a vast pleasure in reading and best taste in books, is free from all manner of vice and has the sweetest temper in the world. I sometimes wish his mother, my old acquaintance, had the satisfaction to know how much her son has profited by being abroad, and what an accomplished young man he is, but it is better she hears nothing of it, for the half of what he deserves could not be told her without her becoming vain."

Some time after, when emancipated, the young Lord wrote to her from Paris: "I wish that I had anything capable of entertaining you, but I am so stupid, and besides ungallant anecdotes of Paris do not deserve to occupy for a moment your ladyship's attention." That is, they were of too trivial a kind. He then said he had been punished for neglecting to write "by being so long deprived of the pleasure of hearing from you. I do not mean a compliment, and I should be sorry if you looked on it as such—it is truth itself, &c." But he had written to his mother from Utrecht on January 17, 1747, in a warmer strain: "The hours which are not devoted to my books I

pass very agreeably in the company of a lady, an acquaintance, I believe I may say a relation, of yours, who came here about three weeks ago. If I had any turn for drawing of characters I could have presented you with a very lovely one. . . . I choose rather to acquaint you that it is no other than Lady Jean Douglas, and by that means I elude a very difficult task—that of painting in their true colours her many lovely qualities. Mr. Stewart has accompanied my Lady thus far in her travels, and I believe he will likewise attend her to Aix-la-Chapelle."

The young nobleman was indeed so infatuated and so completely under the spell of his charmer that he followed her about from place to place, at her bidding. In his letters to his mother, while attempting to conceal the affair from her, he naïvely reveals to her what he was induced to do. Lady Jean, he said, was about to set out for Aix-la-Chapelle from Utrecht, where he was studying. "I shall also leave this place about the same time and return to Aix, on account of my arm, which is much better." When he got to Aix he announced that he was to go to Spa, and from thence to Caen or Angers—probably to study. He adds: "My Lady J. D. goes likewise to Spa" (whither she had no intention of going. So he did not go). When she was at Rheims she wrote to him to beg that he would "pay her a visit and stand godfather to her young heir, which is the finest child I ever yet beheld." He fancied his mother would be surprised at the large sum of money he drew for. "The truth

is, the money I wanted was not for myself, but to lend to my Lady Jean, who was at a loss by not receiving letters which were to bring her remittances."

So here was a young noble, pursuing his studies at Utrecht, "captured" by this attractive and designing lady and drawn away after her, over Europe; and then, after the compliment of being sent for to stand godfather, duly "bled" pecuniarily—all after the usual "Becky" Sharpe precedents. There was no doubt no harm in the business—the Colonel seeing to that, much like Rawdon Crawley—but the lady knew how to turn a flirtation to profit.

We should indeed imagine that Lady Blantyre would not exactly relish her son's falling into the hands of so practised a person. Lady Jean had also high praises for some of her other young men, and is quite rapturous over Mr. Hay and Mr. Dalrymple. Mr. Dalrymple, "your neighbour's, Sir James's son," lived near her.

At Aix-la-Chapelle, a gay city, the wants of the clever pair became very pressing indeed, and at last they were at their wits' end to find cash. They must really have lived on their borrowings. How well Lady Jean could do her part in these difficulties will be seen from another episode. She found here a young man of wealth and great prospects—the Hon. James Stuart Mackenzie—who was on his travels, and whom she had known in Scotland. Of him she bethought herself, and addressed him in one of her most winning appeals. Writing on October 20, 1747, she begins:—

"Sir,—It is amongst the things that have given me the greatest concern since I left Scotland that I could never learn *the condition of your health* which was in so bad a way last time I saw you." At every city she had asked about him from the Scotch and English—"yet none of them could satisfy me on that point, and I have the misfortune to be uncertain about your welfare, which, *with the most constant friendship, I ever am interested in*." This was prettily said; but she comes speedily to business: "Now, as my particular friend, in my present situation, I am under a necessity to desire an uncommon favour of you, transacted by no one I can place confidence in but yourself, though I know well how much business of this kind lies out of the road of so gay a young gentleman." In short, she wanted to raise £200, to secure which she would give a charge on her annuity—"you know," she added, "I have more relations than friends—perhaps from want of merit in me."—£100 would do—if he could not manage £200—and then her happiness would be owing to "the man alive I would choose most to be obliged by." A month later she found that her letter had not been delivered owing to its being lost—so she had to write again—"which continues my anxiety about what state of health you may enjoy." She then re-writes her application, and even re-introduces the easy compliment—"I well know how much business of this kind lies out of the way of so gay a gentleman—" and then she thought she might as well put the thing more plainly still. But for

the necessity of her case, she would not have troubled: "Could I see a possibility of your suffering by it in point of interest even should you, rather than have me disappointed, consequently interfere your credit to the advancers of the money, to receive the interest." "On reading this over, I blush," &c. This artful hint had, of course, the effect intended on the young man, who advanced the money himself! Indeed it was not likely to have occurred to Lady Jean that a young man of fashion would have taken the trouble to go about raising money for her on security—but would take the shorter and less troublesome way. After her death, he—now become the Right Honourable, and a political personage—received a letter from Sir John, who was "desirous that he should claim it as a debt due by him" (Sir John). Accordingly the papers were sent, but it does not appear that the money was paid.

Once, years ago, I spent nigh two months in the old city of Charlemagne. It left a curious impression as of the old-fashioned and still unchanged German life. Even some of the older inns must have remained the same—such as the "Elephant." The burghers would come in every night for their supper, each having his regular seat and the same fare and wine without change. There was Borcette, the favourite place for festive excursions, on a hill beyond the city, and to which Lady Jean often repaired with the gay company. One is always inclined to wonder how, in those days of long and difficult travel, such crowds of

THE CATHEDRAL, AIX LA CHAPELLE.

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English and Scotch made their way to the place, very much as they would do now. And so in this interesting old town they had now established themselves; as Lady Jean gave out, for the purpose of drinking its waters, her health being so bad.

Their course of life, here followed for more than a year, seems rather inconsistent with the pretence of going abroad to live as cheaply as possible. In so gay a town crowded with foreigners, who were gathering to attend the Congress or to enjoy its gaieties, there could be nothing but expense and outlay. Lady Jean knew everybody—was at all the parties and assemblies. Her establishment must have been expensive—two maids, a man-servant, a cook, Mrs. Hewit; and she must have had a carriage to attend the assemblies. The Colonel was also extravagant in his tastes and loved his bottle at the coffee-houses, and no doubt staked his money on the green cloth at the handsome *Redoute*. Even with borrowings from everybody, this state of things could not go on very long. They had to change to cheaper apartments—and at last it came to be high time that something should be done, as it is called, to "raise the wind."

Of their most devoted friends—whose purse and service were devoted to their cause, was Lord Crawfurd, a soldier and brave Scot. She did not venture herself to approach her dreaded brother with the news of her marriage, but got this faithful ally to undertake the disagreeable task which was likely enough to embroil him with the Duke. He urged

her case in ardent, pressing style, also enclosed her letter.[1]

It must be said this lady exercised a wonderful fascination over everybody.

Among her friends at Aix was Lady Wigton, who used to rally her as to her condition, but "she would say neither pro nor con," which Lady Wigton imputed to her being very bashful and

[1] Thus Lord Crawford, the devoted ally and friend, appealed to the Duke:—

"My dear Duke,—Having had the honour in my younger days to be favoured with your Grace's friendship, which I have ever since flattered myself you have continued me, as I am conscious no relation of your Grace's family wishes it better, or prides himself more in the connexion they have with it; and as it has providentially been my fate to pass these six last months confined to a place, where the irretrievable misfortunes it has pleased the Almighty to afflict me with, could only be rendered supportable to me by the most agreeable society of so deserving people as that of your sister Lady Jane and Mr. Stewart; and as, during the space of time we have been together, I have, from a regard I have for your Grace's family I cannot conceal, so far merited my Lady Jane's confidence, as to be intrusted with the alteration there has happened in her state of life, as also the notifying of it to your Grace, by the inclosed, a service that the same regard I have mentioned. I'm hopeful my communications will not only meet with your forgiveness, but with also their wished-for success, in reconciling your Grace to an event, all the well-wishers of your Grace's family may have the greatest reason to rejoice at, as there is such visible hopes of it being attended with the natural consequences so much longed for, by all who are fond of seeing the family of Douglas multiply; and since I have thus far ventured upon my dear Duke's goodness, he must forgive me

shy. Lady Wigton was anxious that she should follow her to Rheims, as it was a cheap place to live at. Before leaving, however, the astute Sir John, after dwelling on the expense, and what Lady Jean's approaching accouchement would entail, adroitly made her yield the usual tax, and contrived to borrow £50 of her, for asking repayment of which some time later, she was very rudely treated.

if I proceed a little further, and represent, that a sister, tenderly fond of your Grace as she is, and in the situation my Lady Jane is in at present, a favourable answer from your Grace is more necessary than may be at first, perhaps, adverted to: wherefore, allow me once more to intreat you will neither by silence nor indifference hazard the bad consequences that may follow either the one or the other. I can assure your Grace she does great honour to her family wherever she appears, and is respected and beloved by all that have the honour of her acquaintance. She certainly merits all the affectionate marks of an only brother to an only sister; much, much does she wish, as well as others of your Grace's devoted friends, there had been no so great necessity for her changing her way of life; but since it has become so absolutely necessary, with the greatest submission, considering the variety of different circumstances, I would gladly hope your Grace will not disapprove of the person Lady Jane has chose, as to be sure there is none more deserving.—But, I'm afraid I shall incroach too long on your Grace's patience, so I shall only add, that your Grace's rendering Lady Jane satisfied and happy, by a reconciliation, and such other marks of your brotherly affection as shall seem proper, shall ever render me unalterably,

"Your Grace's
"Most devoted relation, friend,
and humble servant,
"CRAWFURD."

Another of her fashionable friends was a Belgian of distinction—Madame Obean. She went every day to the assemblies given by this lady, where she met many persons of distinction drawn to Aix by the Congress. Madame Obean had a palace at Brussels, which she was eager to put at Lady Jean's service for her accouchement. Mrs. Hewit thought that this kind offer would have been accepted, only that the lady and her husband were obliged to go to Vienna. But it would have served Lady Jean's purpose as little as did the mansion of the Prince de Salms, also offered to her, both being altogether "too public" for her purpose.

Signs now were being exhibited of a change in Lady Jean's appearance. For a time it was concealed that they were married, Colonel Stewart passing as her *Maître d'Hotel.* As a matter of course the servants knew that he was in her rooms of nights. Then it was confided to a few that they were really married. This mystery would naturally pique curiosity and fix attention. Then set in the usual signs, the constant wearing of a large cloak fastened at the throat to conceal her appearance. This was emphasised in all sorts of fashions: she was constantly hiding herself in this cloak and witnesses appealed to it, as it was no doubt intended they should, as proof of her being *enceinte.* Wherever she goes while at Aix, Liège, Rheims, or Paris, we hear of this cloak. Her paleness and unhealthy look were also insisted on, but then she was by habit of a delicate, frail appearance.

Not that this would be natural enough in a genuine case, but it is a necessary element in that of an adventuress.

The reception by the Duke of the letter announcing the marriage is described by the faithful minister of his parish, Mr. Hamilton. The Duke showed it to him, and in his odd fashion desired him to read it aloud. "I'll perhaps say some strong things while you are reading it, but never mind me, but go on with it." When he came to the high character that she gave to her husband, the Duke interrupted, "I must stop you a little now. Did you not always say to me that Janie was a woman of good sense? why, the woman is mad to give such a character to Stewart, who is one of the worst of men." He then sat down and asked his advice as to what he should do. The minister counselled him to marry himself, "and this would baulk Lady Jean and Mr. Stewart too." The Duke said he was an old man and gouty, that he was told that marriage was bad for the gout. It was the first time he had heard that, but "would not your Grace," he asked naïvely, "risk a fit to save your family from sinking?" Then the Duke said, "I once thought if there was a virtuous woman in the world, my sister Janie was one, but now I am going to say a thing that I should not say of my own sister—I believe she is no better than . . . and that I believe that there is not a virtuous woman in the world." The other said there were thousands of virtuous women, and still pressed him, but the Duke

replied that he would never do, for he was easy (*i.e.*, careless) what way his estate went. That she once thought to get his estate sequestrated and she put in possession, but she should never have a sixpence from him while she breathed. All which is truly dramatic and singular.

CHAPTER IV

THE PLOT

I WAS long perplexed as to the reason that could have prompted Lady Jean to select this particular period for her daring enterprise, namely July, 1748. But I have found the solution, and I think it convincingly proves, in a curious way, what was the encouragement that led the pair to attempt their adventure, and what suggested it.

Lord Kinnaird, a Scotch Peer, and his lady had been married some eighteen years without having children, and the estate was to pass to Charles Kinnaird, the next heir. To this gentleman the lady had a particular dislike, and used to declare that "she would be content to go to hell or do anything rather than he should inherit." In September of the year 17— she abruptly shut herself up at a house on the estate, and on her return gave out that she had been delivered of twins—one of whom was called Patrick, the other Charles—at some unnamed place during the period of her leaving the house and her arrival at home. The twins were announced to have been

regularly baptized; the husband accepted and endorsed the tale. The next heir took alarm and instituted proceedings. No one had noted any signs of maternity in the lady; no details of the place or time were furnished. The heir contended that, according to the Scotch law, the parties ought to be visited and inspected by commissaries, to whom all details should be furnished, with interrogations &c. Letters were sought for and impounded; one from Lord Kinnaird, who writes to a friend, ran: "I make no doubt but you will be surprised to hear that my Lady did not lay in at ——, but in private, but Mr. Kinnaird bribed all my servants, and was very indiscreet in his discourse. This put my wife in a terrible fright, not thinking herself safe here." She therefore left the house and sought the intermediate one, where the birth, it was claimed, had taken place. "I hope your Ladyship will excuse me in not acquainting you sooner: but till I heard my wife and children were in a fair way of doing well I did not send to anybody, and this is the first day that I have."

The pair were summoned before the Court to answer interrogatories, but refusing to do so, were then fined £600. It would appear that the imposture was too clumsy, for nothing more was heard of the children, and the next heir duly succeeded.

Now Lady Jean and her husband must have read this singular story of their countryfolk at Aix-la Chapelle. Can we doubt that when they found that there was no chance of an heir appearing, that here

was suggested a brilliant and significant plan of operation? It will be seen presently how almost exactly they followed the programme, for, like Lady Kinnaird, Lady Jean enwrapped the *locale* in mystery, and fluctuated between two houses, with a third intermediate, exactly what the Kinnairds had done. And again, though the attempt had not been crowned with success, no penalties or inconvenience had followed. But they would lay their plans more artfully.

Nearly a year and a half had now gone by; they were waiting, it may be trusting, that by some chance an *enfant de miracle* might appear. They waited in vain.

One of her most intimate and confidential friends at home was Mrs. Carse, wife of an excise supervisor, to whom she wrote long and entertaining letters. As we have seen, this lady had repeated to her the rumours that were afloat in Scotland and in the district as to her being married. It might have been allowable to put them aside with ambiguous denials or ignore them, or more simply still, admit the fact—for why conceal what must eventually be disclosed?—but Lady Jean chose to deal with them after a fashion of her own, by "carrying the war into the enemy's camp," as it were: for she not only denied them, but reviled the authors as calumniators and libellers! "The impertinent liberties a great many have taken in handing about idle stories *disadvantageous to me*, I am not ignorant of, and my nearest relatives, I understand, have been

chiefly employed in doing me these kind offices. My cousin, Miss Molly Kerr, I hear has taken care to distinguish herself on this occasion, and, *amongst other lies* she has been at pains to contrive, she affirms Mr. —— met me on the English road, in a coach with Mr. Stewart: a thing the falsest in the world, *for neither he nor any other gentleman ever was in the coach or along with me all along the road.*[1] Another of her lies is that I am living at Windsor *under a borrowed name.* I am by no means out of fancy with my own nor is it a time of life with me to be extravagantly fond of any such change." Yet, as she admitted herself, she had travelled under the name of Grey. "*This brainless, bad-hearted woman was the contriver*, with the assistance of the weak, scatterbrained Lord —— of the last story of the kind. . . . Mr. Stewart deserves very well, particularly from me, to whom he has done abundance of obliging services since he came to this country. When I was at the Hague *he happened to lodge in the same house.* This circumstance *perhaps favours the impositions many of the too credulous* have imposed upon themselves by believing lies, &c." This extraordinary letter supplies a sort of key to her character. The treatment of the imputation of her being married is almost the same as that of the imposition of the children: there is the same sort of casuistry in both. The letter is written to a dear and old friend,

[1] Stewart met her at Huntingdon and also at the packet, so the denial was a quibble.

and yet she did not scruple while reprobating the "lies" circulated, to impose her own "lies" on this friend. It is always a deceit and high-class deception to convey not merely a *denial* of a rumour as a lie, but to brand those who circulated it as liars. The effect surely left on the mind, in reading this letter, is really that one is in the presence of an accomplished person, who would let nothing stand in the way of her designs: a person that could revile her cousin for stating what she, Lady Jean, knew was true, would really go any lengths. It should be noted, too, that her abuse and anger seem quite genuine, as though she were enraged with the person who had discovered her secret. As was truly said, "the keenness of expression here contained would be unbecoming even in refutation of falsehood, but when employed in support and confirmation of falsehood offers a most remarkable instance of dissimulation and insincerity."

When funds began to fail her we find the same "fertility of falsehood," as Dr. Johnson might put it. Nothing could be more varied or contradictory than her pleas. In 1747 she wrote to one friend asking for a loan, urging her bad state of health; "the waters of Aix-la-Chapelle," she said, "not altogether answered the intention of my journey:" she now wanted the money to go on to Carlsbad, where she was "in hopes of getting perfect health." She had not the slightest intention of going to Carlsbad. But a month later, when she wanted money *on annuity*, as it now became

an object to declare that she was in good health, she wrote, "Be assured travelling, *with the waters of Aix and Spa, has removed all my complaints.*"

To Mr. Robertson, an agent at home, she wrote for supplies, saying that she chooses "much rather to be indebted to him for an obligation of this nature than to any other." Only a fortnight later she was telling another friend that he was the "chief, *my only friend* that I can apply to." The whole letters should be given to show how skilfully she could vary the mode of address, to the gay young man, or to the practical man of business. Later on she asked this Robinson to raise a further £200 on her bond, to which he agreed. From a poor Scotch minister she contrived to extract first £30, then much more. He was, of course, never repaid.

The same deceit is shown in what she wrote of her brother. "Every day I live I sincerely pray for his long life and for every happiness for him. My submission to my brother and all the affectionate demonstration I can possibly show him are right to be done," and to the Duke himself, "I most sincerely and earnestly wish you all the blessings, both spiritual and temporal, that Heaven can bestow." Yet before this she was complaining to Lord Milton of her brother's "unnatural unkindness, to call it no worse." This illustrates her method of adapting her style and topics to the purpose in hand. She then pressed Lord Milton "to get something done for me at Court, if the Duke of Douglas cannot be prevailed on to take

proper care of me and my family," and she very artfully suggested how this could be contrived, "if he is touched on the proper key, I mean its *being signified to him that his barbarous conduct* in regard to me is displeasing to higher powers, and *may awake the remembrance of some unhappy events it were to be wished could be buried in eternal oblivion.*" This veiled threat is significant. The reference was to the Duke's killing his cousin.

But a more notable instance of her untruthfulness is found in her affected eagerness to get a Protestant country abroad, so that she might have opportunities of following her religion at her ease. This excuse was put forward in home-written letters, in which she protested she was eager to get to Switzerland; though at the very date of writing she had settled to go to Paris. The truth was this ultra-Protestant lady was really much inclined to Catholics and to Catholicity, and spent much of her time in convents and with nuns, who liked her much.

A good deal really turns on these pious assumptions. Thus she wrote to Mr. Haldane that she was "tired of living so long in a Roman Catholic country, though a league from this every Sunday a Protestant minister preaches to a small congregation. Where I at present resolve to go, our religion is established, so on that account, and the cheapness of living I am hopeful will prove mighty agreeable, both in spiritual and temporal matters." To her friend Hamilton she later wrote from Rheims, on December 26, 1749: "When

I left Aix-la-Chapelle I set out for Switzerland on the Lake of Geneva, where I proposed to have a double advantage, a cheap country and a free exercise of the Protestant religion, but found I was unable to make a long journey in the state I was then in, *so was necessitated to stop here*, where I am obliged now to stay, until the young ones are able to travel, and I can move with so numerous a family to where I can reap these advantages. God only knows when that may be, to Whose holy Will I am wholly resigned." This was for a clergyman's reading. Any one who follows the course of her travels will find that she never had the slightest notion of going to Switzerland, but took the regular road to Paris. To Lady Mary Hamilton she harped on the same string. To her in April, 1749, she wrote: "When I left Aix my full intention was to go to Geneva, but found I was unable to make so long a journey at that time, *so stopped here*." At Geneva she proposed to have found a double advantage—"a cheap country and the free exercise of the Protestant religion." "In the meantime I bear up with tolerable resignation to whatever Almighty God is pleased to determine with regard to me." The insistence on this religious topic to her Scotch friends she thus accounts for—"Some of the people in Scotland have a narrow way of thinking, accusing me for staying so long in a Popish country, which I involuntarily am necessitated to do. And I am sure, my dear Lady Mary, being too well acquainted with the goodness and piety of her

heart to doubt of her allowing these unfavourable thoughts, &c."

But let us contrast with this zeal for her religion her behaviour in the city where she was residing. Aix-la-Chapelle has always been a fervently Catholic place. The worthy townsfolk are devoted to their creed; Charlemagne's great Cathedral is the centre, round which are clustered many institutions. Lady Jean's aim, apart from her own private sympathies, was to draw to her all the sympathies of the convents, and their connections in the town, so that by and by she might have their evidence to appeal to. The nuns would all recall the amiable interesting Scotch lady of high rank who had placed such confidence in St. Anne, and had sought her aid in her approaching critical trial. This feeling would influence their recollections and would make them positive as to her exhibiting all the marks and tokens of an "interesting situation." Every Catholic knows, from experience, that the Protestant who habitually visits and makes friends with the sisters in a convent has usually a strong *penchant* for Catholic doctrine and Catholic life; and that, on the other hand, the genuine Protestant will recoil with strong dislike from approaching what is so opposed to his principles.

On her last visit to take leave of the nuns of St. Anne, said one of the community, "she recommended herself to their prayers, saying that she had great need of them. It was the custom there to recommend oneself to St. Anne on these occasions. There is

even in the convent a girdle of St. Anne's, which is applied to women to procure them a happy delivery, or for to have children ; and it is held for certain that all who have made use of this girdle not one died in childbed. Lady Jean, having made a present to the Prioress of a chaplet, she hung it in devotion to the image of St. Anne, in the church of the convent, and here it still is." From the evidence of the nuns it appears she was well known to them, having visited them on one of her former journeys. Colonel Stewart also used to come. She was, as it were, constantly "in and out," and the nuns were at first a little disturbed by her apparent condition, but were reassured by the Mother Prioress, who told them that she was married. Any one familiar with convent life will know how such an intimacy grows.

The more we study this strange character of Lady Jean Douglas, the more extraordinary and perhaps interesting does it appear. One can almost admire the firm purpose, the deliberate sustaining of her part, kept up for so many years, and through all vicissitudes. Her advocates might urge that here was a proof of innocence, with which it is more reconcilable than with a course of imposture ; but in the history of such things there are many precedents of the same kind. Most remarkable of all is the maintaining this character in private and in confidence with her confederate, the husband.

As was to be expected, there was later offered a vast deal of evidence *pro* and *con* as to Lady Jean's

appearance during the month preceding the birth, when she was residing at Aix. As a matter of course, either in the case of an imposture, or of a genuine birth, the outward evidence of this condition, must have been visible: being assumed, or in the first case counterfeited. Her dependents, servants, and some friends offered some very positive testimony. But against this is to be set that of so many who observed nothing whatever in her appearance, and who later were surprised at learning of the birth. The most extraordinary thing, however, is the testimony of her fellow-travellers in the diligence on the journey to Paris from Rheims. By a strange chance three casual passengers who were with her in the stage were discovered. They had been her companions for three days—two ladies and a maid. They declared that it never occurred to them that she was in such a condition, that she never told them anything about it, and that she ascended into the coach without difficulty. Yet this was only a week before her confinement![1]

[1] A part of her deception was a fashion of dress that she adopted—a large and loose gown, which might suggest the notion of her being in an "interesting way," or might merely be a whim of her own. It was proved that she sent her dresses to be "let out," and one of the judges in the House of Lords actually pressed this incident as a piece of convincing evidence, though it is obvious that this might have been a mere crafty device. She would ostentatiously rise from table on account of sudden illnesses. There was a good deal of insistence on Lady Jean's nausea, consistent sicknesses, &c., which, it was maintained, were signs of her condition. But we find

Where there is a secret and a mystery there is usually a uniform course of concealment: a jealous watch is kept, and precautions are strict. But when, as in this case, there was more an affectation of secrecy than secrecy, and when partial disclosures were made—hints given to some, and withheld from others—it is clear that the intention was that the secret should be known or guessed at.

Lady Wigton who, as we have seen, was one of her intimates at Aix-la-Chapelle, heard it generally talked of that Lady Jean was in this state. She heard that the reason for their going away was the impossibility of getting good medical aid at Aix. This extraordinary objection was to be urged against every city in which she resided. The doctors at Aix were not good enough; they went to Rheims, where there were good doctors. But at Rheims they were not good enough either; so the pair went to Paris, where they secured one of the lowest grade of the profession. This was all strange enough. But now follows a very significant incident. One would have imagined that this faithful friend, who clung to her afterwards through all her difficulties, would have been taken into her confidence in this matter. But for some reason Lady Jean was determined that she should know nothing of it; though Lord Crawford, who so conveniently advanced cash, was entrusted with the secret. Feeling,

that in her latter days she was still suffering from these vomitings, and also before her death. It would seem, indeed, that she had a disease of the stomach of which it is likely she died.

however, that she was an object of suspicion to her friend, Lady Jean one day sent for her and spoke to her thus privately, sending every one out of the room :—

"It was probable," she said, "that she heard of the story of her and Colonel Stewart's being married?" To which the other replied that she had heard so both in England and in Scotland. Lady Jean then said that it was a story raised by Miss Molly Kerr, her cousin, in order to prejudice her brother, the Duke of Douglas, against her and that it had been so effectual that he had stopped her pension. "She often denied the marriage with Colonel Stewart, and desired her when she went to England to contradict it, and the other said she would do so as Lady Jean allowed it."

She then went on to tell her that she was resolved to leave Aix on account of the expenses the Congress would entail and the number of British people that would arrive. She would go to Provence, where living was cheaper. She next took the opportunity of reminding her that she had been complaining of bad health at one time, "when the Hessians were near Edinburgh."

It will thus be seen that everything prepares us for the adventuress's coming *rôle*. We have the attractive lady of high birth, the rough-and-ready husband—the suite of young men who had to "pay their footing," the usual borrowings from all the world, and the mysterious talk and conjectures among friends, &c., with speculations—*was* the lady in "the family way"

or not? Every one admired the delicacy of the high-born dame, who would say neither yea or nay, and who was altogether so interesting.

Having thus satisfactorily inspired the Aix folk with a mysterious notion of the coming event, one might have expected that Lady Jean would have been content to wait patiently there, so as to have their testimony to the event itself. The Congress was drawing on, and there were a great number of her friends in the city. But this publicity would not suit her designs, though it might the preparatory stages. In Aix it would be impossible to contrive a suppositious birth. Too many eyes were upon them; too much gossip about. Accordingly the pair now began to announce that they *must* go to the South of France, a long and expensive journey, though they were also protesting that the expense at Aix must drive them away. She was noted to be growing less cheerful and more pensive than usual.

The reasons they gave to their friends for this hurried change of scene were two: first the dearness of Aix-la-Chapelle, and, above all, as we have seen, the impossibility of securing proper medical aid. So straightened were they as to cash that they had to leave behind them two servants on the road, not being able to pay their fare from Rheims. It was shown later that this great expense was only ten francs or so. But what was singular, it proved that during this season the pair were very flush of money, having received loans from noble friends and having

raised sums on her allowance to a large amount. During the trial it was proved, as indeed might be expected, that at Aix, Liège, and Rheims there was an abundance of medical aid, plenty of "midwives," with also a rather celebrated French accoucheur, who used to be sent for to Germany to attend patients.

Another reason was "the thought of receiving the compliments and congratulations from the people of rank there who would come for the Congress, and to whom she had not intimated her marriage." Worthy Mrs. Hewit was much distressed at this determination, shedding many tears, as she thought it "such madness and inconsistency for a person of Lady Jean's rank to undertake such a painful journey in her condition." Mrs. Hewit, however, thought of a device which might stay this rash journey. Prince de Salms, a great nobleman, had a country house a few miles from Aix, and she had application made to him to lend it to Lady Jean for the occasion. He wrote from Vienna that her lodging at his castle would do him honour and pleasure, though he was mortified that it was not better furnished than it was for a person of Lady Jean's condition. This may have been a polite "put off," but it was considered a consent. And here Lady Jean would have sufficient privacy. But, however that might have been, *she left Aix without waiting to receive the answer;* which was all consistent.

In the matter of their leaving Aix there is the same deception kept up. Again they give out, not at Aix,

but in letters to friends, their determination to go to a Protestant country, to "Bareith, which is a most agreeable court in Germany, everything cheap, or to Geneva, taking the route by Luxemburg, the direct road." On May the 12th, a few days before the departure, Sir John wrote home: "Lady Jean sets out for the Pais du Vaud on Thursday next." Yet at Aix everybody was told they were going to France, to Rheims; and only three days after Sir John's letter an Aix gentleman wrote to that city, ordering rooms for them. They took with them a banker's letter of credit, drawn on Paris. Long after, in a letter to the Duchess of Douglas, Sir John incautiously wrote that Lady Jean's debts and his own made it impossible for them to remain in Scotland. "*So we determined to go to France.* There we went, after taking the season at Aix and Spa, for the recovery of Lady Jean's health." When they were at the Hague they applied for leave to go to France, the object being "to drink the waters of Bourbon." All these different and opposed classes of water seemed equally serviceable. Thus this going to France was their settled design from the very beginning.

CHAPTER V

THE PLOT STARTED

SO now the time for action had arrived; and it was necessary, from the situation of the adventurers, that something should be done. Nearly two years had elapsed since the marriage, and the dream of having a child or children, at the age of fifty, must have been dispelled, if it ever existed. It was absolutely necessary to strike, or to make a beginning in working out the plot, and the first object was to get away from Aix. That city they accordingly left early in 1748, and thus began the extraordinary complicated *imbroglio* which was to engross the attention of Europe for nigh twenty years.

They departed from Aix on May 24th, reaching Liège the same evening. Here the comedy regularly begins. An old servant was met here who was introduced to her room, and before whom she showed fatigue, sitting on a bed, &c. He noted her size, and was sent out with the maids to purchase baby linen. Then some Scotch friends, the Hepburns, came to

see her, and two scenes were contrived which were not ineffective. Once Mrs. Hepburn, coming into the bedroom, surprised her *en déshabillé*, and was convinced, by a glance, of her situation! Then Lady Jean took her with her in a carriage to see a certain countess. A beggar, who appeared to have his nose "flat upon his face," begged her charity at the window, when the Colonel, in a violent passion, rushed out of the coach and *turned the man about*. Lady Jean asked, in great haste, what was the matter, on which the lady laughed and told her. Lady Jean said, "I wonder you laugh." They then journeyed on to Rheims.

The cathedral city of Rheims was hardly the place for one who was pining for a place where she could best breathe good Protestant air, or find means for following and practising the religion to which she was so attached. A son of the landlady—a priest and canon of Laon—about forty years old, was living in the town, and came every day to his mother's, where he contracted a great intimacy with her Protestant tenant. He declared that he enjoyed a great share of her confidence, which is evident enough, as he came regularly every morning at nine o'clock, and also in the afternoon, when dinner was over, between one and two, and usually stayed with her till eight or nine at night. If it were wet he sat with her; if fine he walked with her in the public places, sometimes to the ramparts. This was an extraordinary intimacy for a Scotch Presbyterian lady. But it is

THE CATHEDRAL, RHEIMS.

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easy to see the reason. The Abbé had noted her condition, and once, on his saying to her, "Your husband is long in returning to-day," she smiled and said, "Who told you he was my husband?" on which the Abbé replied, "Your situation, madame," on which she smiled again. This favoured her plans, especially as the Abbé noted that there was a sort of attempt at mystery. A person so partial to her society would be a useful witness. He described that when she went abroad to walk "she dressed her head extraordinarily, insomuch that the young people of Rheims crowded about her when she walked and contemplated her with astonishment." In her apartment, when it was warm, she was without a hoop, but that when any one called at the door, and was announced, she ran to her hoop and put it on. *Même jeu.* She always appeared delicate and weak, but it was remarked that during all the time she was at Rheims she never once saw a doctor. Colonel Stewart was constantly about, frequently at the coffee-houses, also being made welcome at the principal houses.

The Abbé was living in his mother's house, which might account for this intimacy. But there was another reason. Lady Jean was showing deep interest in the Catholic religion. He would relate that their conversation always began upon religious matters, and that she appeared to give herself to it with inclination. Once seeing her so well disposed he said to her, "But, Madame, in vain do you relish this if you do not adopt it, and without the practise

you render useless all the efforts of grace by remaining inactive." A true and sensible speech. Upon which she answered with transport, "Sir, I wish we had a minister here, and if in your debates you had the superiority over him, I declare to you I would become a Catholic to-morrow." To which he saw the less obstacle "as she lived exemplarily and practised the Christian virtues." The canon's favour with her was not for long, nor did her Catholic ardour last beyond the time of the supposed birth. When she returned after the event she went to another lodging and the canon did not see her at all. It is plain that this was done to win popularity and secure the testimony of all Rheims. I believe as I have said, too, that she had a sort of *penchant* for the religion from her previous visits abroad to convents, &c., and from her having Jacobite friends. As it was, the Abbé was called to give his testimony in her favour, and the public christening a year or so later, in a Catholic cathedral secured the willing suffrages of the place. Again it may be said that this little episode, the "bamboozling" the priest, all exactly belongs to the adventuress.

At this stage of the case let us imagine what would be the behaviour—rather what *ought* to have been the behaviour—of innocent persons in a similar situation. An improvident daughter, next in the succession to a title and estate, has been cast off by her family owing to her having made a "low" marriage. Being past the age when she might reasonably hope for children, it is discovered, of a sudden, that she can

have hopes of such an event. Being in a foreign country, what would such innocent persons be likely to do? Journey home at once, slowly and cautiously, get back to England somehow—to London—or to some place where most of their friends were likely to be found. They would strive to settle all eyes on them; to be as conspicuous as possible, and when the event is imminent will take care that some friends of position and character shall be at hand or present. For they know that they have enemies, and that the family will be ready to have suspicions, and to throw doubt on the affair. Or is it likely that they would turn their back on their own country—get as far from it as they well could, fly from all who knew them, make long and fatiguing journeys on the very eve of the birth, hide themselves in the unknown purlieus of a great city, have no fitting medical attendance—in short, do everything they could to impart a suspicious look to their proceedings? Yet all this is exactly what Lady Jean did.

In her condition she found that she could not go on, so stayed at Rheims until able to move. "God only knows when that may be to Whose holy will I am wholly resigned." She wrote also to Mr. Haldane, that she designed to go "where our religion was established." All these Protestant utterances were for the Scotch at home. All at Aix knew that the road she was taking was not exactly the route to Geneva.

She was once or twice "quite knocked up," seized with sudden illness, as the confidential maid

tells us ; but no harm resulted, and she continued her journeys. Yet the Colonel had declared that they were going to Paris to get the very best assistance of the faculty—whose chance of aid they were doing their best to shipwreck. Of course, assuming that there was an imposture on foot there would be no risk and no dangers of anything premature being brought about.

Mrs. Hewit, who was thoroughgoing in all her testimony, and who clung to her friend from first to last, declared that "Mrs. Andrews, their landlady (*i.e.*, Madame Andrieux) told her that the doctors at Rheims were as ignorant as brutes, and that she herself, owing to their unskilfulness, had nearly been destroyed in health in her confinement," and Mrs. Hewit later learned that she had actually died from a malady which she had contracted at their hands. Her son, however, swore positively that his mother had got through all her confinements well, and that he had never heard of her suffering in any way from bad treatment, that she had died suddenly of apoplexy.

The professor in the University and former Dean of Faculty declared that there were in Rheims at the time of the Stewart visit no less than eleven surgeons in full practice, of whom two were accoucheurs of some celebrity. Lady Jean had never consulted a single one of these persons on her case up to the time she set out for Paris a few days before her delivery.

The truth was, a flourishing archiepiscopal city of such importance—the city in which the French kings

were crowned, and where there was much "society" —civil as well as ecclesiastical—was likely to be well supplied with physicians of good standing, and so it was deposed. It was even particularly strong in the sort of medical aid required by Lady Jean. But this would not suffice for the Colonel. Paris, where was the best assistance of the kind, would alone do, and to Paris they must go by a weary toilsome journey of three days, though Lady Jean was then "near her time." The future heir of the great House of Douglas was thus exposed to the most serious risks, one of which was the chance of Lady Jean's being taken ill on the road.

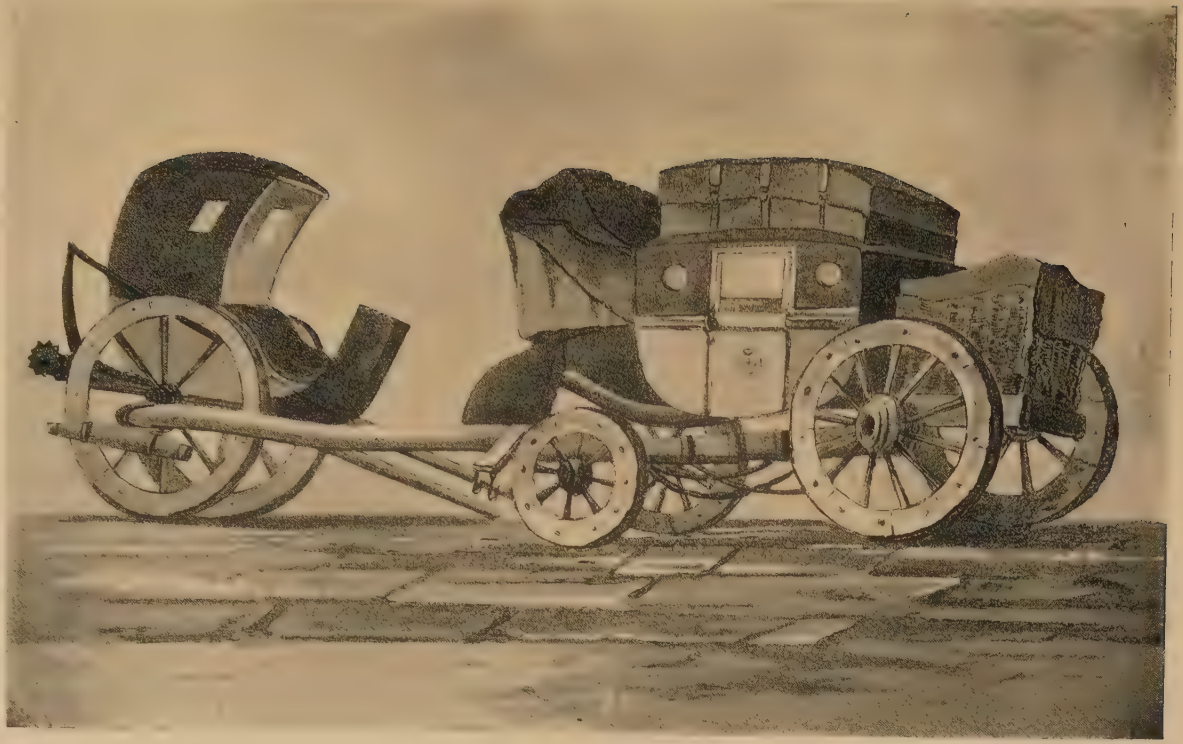
It would not, of course, at all suit their purpose that the children should appear at Rheims. In a cathedral city with thirty thousand inhabitants it would be an impossible feat to contrive a sham *accouchement* or to receive the necessary children by purchase, *enlevement*, or otherwise.

Still, in Rheims friends and gossips wondered why an English lady could not stay where she was, and meet her illness under comfortable conditions. Above all, it was surely necessary to have fitting publicity—her many female friends might have attended her and aided her, and in such a city, and under such conditions, the incidents of the birth could never have been questioned. But this, of course, would not do; the servants even gave out that, so important was the affair, that it was necessary that "an English Resident" at Paris should be present.

They remained at Rheims many weeks, then resolved to set out for Paris to play the *grand coup*. Some highly significant measures were taken in preparation for the journey. One was that the two faithful maids were left behind at Rheims on the plea of the expense of the journey to Paris. A lady of rank in such a situation would surely need their aid particularly on the journey, one, too, who was hasting to Paris for the sake of obtaining the best aid. So she had to rely on Mrs. Hewit alone.

But this expedition to the capital was in one respect to turn out to be the very prodigy of prodigies, as a feat of heroic endurance, and also in its defiance of the ordinary limitations which attend ladies who are in "an interesting way." For here was a frail, delicate person, on the very eve of the event, setting forth on a three days' travel under the hardest conditions, defying the heats of July, and the rough conditions of a public diligence jolting its way slowly along the high-roads. It was a sort of heavy stage waggon loaded with goods and passengers drawn by six horses hung upon leathern traces but with no springs. Inside were packed six or seven persons.

Lady Jean and her companions sat up on the night previous to the departure, and at two in the morning repaired to the diligence office to take their places in the vehicle. Yet this was the poor lady who, according to her friends' story, was "near her time," and appeared to all to be "so heavy as to be unable to stir." In fact, the supposed *accouchement* took place



FRENCH DILIGENCE IN 1760.

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only eight days later. It would be imagined that her companions in the vehicle must have noticed this piteous state of things, and would have been lavish in compassion and tender offices, to say nothing of their apprehensions as to what might occur at any moment. It was a wonderful thing that the fellow-passengers should have been all discovered seventeen years later—no doubt owing to the *monitoire*—three of them ladies, who deposed that they had never noticed any signs whatever of maternity, that she climbed in and out of her diligence without difficulty, chatting in an agreeable way with her fellow-passengers. They got to Soissons at seven o'clock in the evening, having been on the road from two in the morning. Next day they left Soissons at five in the morning and travelled again till seven in the evening. On the third day they left Nanteuil at six in the morning, and at five the intrepid traveller reached Paris. A wonderful performance indeed! This was July 4th, and on the 10th the twins were born—or were said to have been born.

It will be asked, Why should the pair have not feared lest all this view of the matter would not have suggested itself to their friends? The truth was, they wished to hold themselves out as poor. This was part of their case, so as to cover the necessary hiding in Paris, where they professed to arrive with hardly a louis, though it was proved that they carried plenty of cash with them.

CHAPTER VI

ANNOUNCED BIRTH OF THE CHILDREN

ON Thursday, then, July 4, 1748, the Colonel and Lady Jean arrived in Paris, just six days before the supposed birth took place. The lady was quite unaffected by the toilsome journey of three days. They went to the house of M. Godefroi, the Hôtel de Chalons. Now the plot was to come to an issue. They had been introduced to the host by the Syndic of Rheims in a significant letter, evidently suggested by the parties themselves, and dated July 2nd. He did not know, said the Syndic, that they intended to remain at the hotel, but believed that they meant to remove to an "apartment." "*As he* (*the Colonel*) *will have some purchases to make in Paris, I have told him that he might apply to you as being a connoisseur on these things and that you must not allow him to be imposed upon.*" He does not even give their names, but describes them as "a Scotch colonel and two ladies."

Now here were two people going up to Paris for an important event; it was desirable that they should

have the best information and assistance as to medical aid, comforts, &c., and yet instead we find that not only are their names concealed, but the very object of their journey ; while another of a most trivial kind is substituted. This, it is clear, the Syndic did not know, or, what is probable, was asked not to mention. Instead, a flimsy excuse is devised of going to Paris to make purchases! Thus deceit is present at the very opening of the business.

The Godefrois kept books in which were entered the names of the guests. One was for the house, the other for the police. In the house-book the Colonel is described as "Monsieur ——," an entry made by Madame Godefroi, who said that at the time she did not know his name. In the first book, suppers, wine, &c., ordered each day, are set down. The account runs from the 8th of July to the 13th. In the other book there is written "*M. Stewart, Ecossais, gentilhomme, et Madame son epouse.*" In the first it is simply "*Monsieur . . . sont entrees,*" the plural showing that it was a party. It was shown clearly by the sums charged for meal and lodging, that the bill was for three persons. The hotel-keeper and his wife were positive and distinct as to the stay from the 8th to the 13th. Indeed hotel-keepers often remember in wonderfully accurate fashion details about their guests.

Now assuming the intention of "supposing" children, the plan was fraught with enormous difficulties. Wherever they lodged, there must be witnesses of the

event. An *accouchement* is an important event, and turns a house "upside down," as Mr. Kenwigs, in the story, experienced. There must be doctors, nurses, servants, a general interest and excitement. In France there are legal formalities—registry, &c. In Lady Jean's not one of these things is apparent; the whole was despatched without them. How was it to be managed? They contrived a scheme of much ingenuity. It was simply to arrive in Paris at one house: in a few days to disappear, stay during the interval at a second unnamed one, and then reappear with the new-born children at a third house. In this fashion some sort of general confusion might be produced.

According to M. Godefroi's story, they remained with him until the 13th—about ten days—and then went away without telling him where they were going. They told him that they had secured a lodging, but finding that it was infested with bugs, they waited a few days more while it was being purified and prepared. They took their leave of the hotel-keeper, who saw them no more, and were lost in Paris till they reappeared at a second hotel, the lady apparently well.

Lady Jean, it might have been expected, would have consulted with the landlady or women of the house as to doctors, nurses, or suitable lodgings. She never said a word on these matters, and left no impression on them that any crisis was at hand. This was, of course, their intention, as they now wished to become

lost, as it were, in Paris and their proceedings untraceable. It is highly characteristic that whereas at Aix and other places external evidence of the approaching *accouchement* was manifested, here the subject was tabooed. For concealment was now essential. They indeed felt that they had now no time to lose. For three weeks no one in Rheims had a line from them, and their friend the Syndic becoming curious as to what they were about, wrote to the Godefrois for information. No doubt he had led the latter to suppose that they were to stay with him for a good three weeks, stopping under his guidance.

The next event was the sending news to Rheims of the important event. It was Mrs. Hewit who first announced it to "Tiby" and "Effie." These were Lady Jean's own servants, brought from Scotland, and left in a French town. They were interested in the family and all that happened to them, yet not a word of the matter was written to them till twelve days had elapsed! The reason, it will be shown later, was that no date had yet been fixed for the birth. From these letters we shall see of what sort was this confidential companion and friend of Lady Jean, her brother being a baker.

"Tiby" Walker was devoted to her mistress, and was indeed a most faithful creature, being with her through the whole intrigue, from the beginning to Lady Jean's death. She declared that all this time she never knew the name of the street where her mistress lodged at in Paris—that their letters were

always given to their landlord to be addressed—neither would Mrs. Hewit tell them, though asked—"*as she, Mrs. Hewit, never could mind* (*i.e.*, remember) a French name."

"Dear Tiby and Effie," wrote Mrs. Hewit, "this will be the welcomest letter ever eny of you received. The last day I writ to you, Tiby (on the 11th), I told you your Mrs. was very well, as I thought. So far from that she had been ill the wholl neght and sad not a word tell twalf a clok, which was 4 ours after your letter wint af. Then I think she was in soch a way as I could wisht not to a been a witness to, tho' I do believe is been worc (worse) with on (one) *and she produced 2 lovely boys.* You may believe the confusion I have been in sinc, haven no thought of more than wan, though Tiby Walker was so moch a conjuererour, as to tell me she thoght she was with two, still my thoghts joined Effe's, they are two lovly creters, but the yongst very small and weakly, so the doctor *beght he might be sent to the country as soun as possible.* I have thoght two months since I left you all. *The hurry I was in last writin I blive I dated my letter* 11, *instead of the* 10, *which was the happy day.* Adeu, dr Tiby. Mrs. Andrews gaves a very good account of you bothe, and says you are going on finely in the French. Mind us finely to her."

Now the spelling here is grotesque enough, but the general illiteracy of the composition and the low tone of the ideas make it strange indeed that Lady Jean should have chosen such an intimate. The letter

shows, however, that it was artfully written, so that it might be appealed to, to show that the two maids were not in the plot, this taken with the fact that they were left behind.

Four days later Mrs. Hewit writes again: "Dear Tiby, joust as I was set down to writ to you I get yours, writ on the same day I wrot to you, *which was the 21st day*, tellin you the happy news. Indeed Tiby, I could not possably writ souner, if you know the confeushon we have been in, geeting two when we expected on, nurses to seek: the youngst lovely dear very weak and dorst not tell her. I mind you both moch, and is thoght it 3 months senc I left you. My fot was nevver out, but onc with her to geet the air, so I know as letell of the place as you do. Indid since she was broght to beed Mr. Stewart and I is been oft out of town, tell we got nurces. I have hopes the youngest will still do well, but the sturdy velen with hos is ten all from him, and ell lock pour man he has had to his nurces, but is at last got a bean on, and he not a bit the worc. She is recovered in a wonder, not indid without the greatest care. She is stell very weak and her doctor is ordert her to be ten to the country in eight days to make her fit for her journey home. She was foly resolved to a sint for you both, the time she was to stay, but as the doctor is positave he will have to the country, this being jost Edinbigh, no air, houses all close to one another and she being resolved, pleise God, to come here in the spring with Lady Wigton, at which time you will all

come together. She is such a good opinion of you both, as to think the disappointment of not coming here jost now will be small as she is to return in a few months here again. Your month is out Tuesday next; tell Mrs. Andrews if they will not sate it weekly to take it for another month, suppose you should but stay the half, for her purc pays soundly here. She minds you both kindly and does not wonder at both your anxieties, for she wonders she is alive herself after what she has undergone."

The aim of these letters is obvious. The maids had been left behind on account of the expense, yet over a month had passed and there was no intention of sending for them, though they remonstrated. The passage referring to the mistake of dating her letter the 11th instead of the 10th should be noted. The maids or their friend would think it strange that no mention should have been made on the 11th of the all-important event that had occurred the day before, the fact being that at the time the pair had not fixed on a date for the birth. The same oversight occurred in other letters and had to be explained away in the same fashion. But this important matter of the date and its change will be dealt with later. Of course, it would be out of the question to let them come to Paris, as there were no children to show them as yet. Mrs. Hewit's exuberance is amusing and her apologies most elaborate and ingenious. She tries to convey that the delight in the birth cannot let her think of anything else.

Announced Birth of the Children

Thus was the great *coup* played. Lady Jean Douglas Stewart, as she liked to call herself, had thus given birth—not to a girl, nor to twin girls—not to a son and heir, but to twin boys—a most fortunate thing; for as one was "richetty," there was another in reserve in case of accidents. The pair might well congratulate themselves, for never could such an event have coincided more nicely with the state of their fortunes. It was exactly what was desired, and, as it proved, one of the children did die, but the other survived to inherit. A wonderful train of circumstances altogether.

CHAPTER VII

THE ANNOUNCEMENT

LADY JEAN had waited till August 7th before announcing "the happy news," *urbi et orbi.* Her letter was as follows:—

"DEAR BROTHER,—Though not a little discouraged by your favouring me with no answer to that under cover of Lord Crawford's, acquainting your Grace with my change of state, and in favour, I think it my incumbent duty, as well as natural inclination to acquaint you further with the happy consequences of it, which I am hopeful may be a means to replace me in some measure, to that share of your favour I was once so happy in, and never willingly forfeited; but to the contrary have regretted my ill fortune in that particular more than all the others of my more than ordinary cross fate. If want of title and estate in the gentleman I have chosen seems surprising, your Grace well knows, no subject could add to me; and a gentleman as well born as any, can take nothing off. Please know then, my Lord, that the 10th of last

month I was blessed with two boys, one a promising child, the other poor thing, so weak that I fear is little to be reckoned on. God's will be done. The other my hopes centre in, and wait but the pleasure of your approving of his having your name, with that of Sholto to the younger, to be happy. For, thank God, I have philosophy enough not to place happiness on superfluous riches or pomp, and faith enough to hope that now I shall never want a decent competency. Though I have recovered health beyond expectation, I cannot make this letter so long as I incline, having many things to say, but am able to add no more, but that Mr. Stewart begs allowance of your Grace to offer his humble duty in this, and that of being permitted to do himself that honour more amply by a letter, if favoured by your Grace with an opportunity, and that I am ever, with the sincerest and most respectful regard, Dear Brother,

Your most obedient servant and
Affectionate sister,
Jane Douglas.

From Rheims in Champagne, August 7, 1748.

I choose this place to stay in some time, because everything is more reasonable than at Aix and likewise it is healthful."

It must have been with much agitation that she wrote this letter. For on it depended whether this elaborate and carefully prepared scheme was to have results. It is no doubt a well-written paper, but in it

she displays her usual ability. It will be noted that it is written *from Rheims*, but at the time she was in Paris ; and to improve the deceit further, she says "I choose this place to stay in."

After waiting a fortnight for an answer the Colonel wrote himself, not sending the letter to the Duke, but to one of his council, Lord Haining. "Though I have not the honour of being known to you, at Lady Jane Douglas's desire I doe myself this honour which she believs from the repeated instances she has had of your friendship, will be agreeable, in acquainting your lordship that on the 10th July last she was blessed with two boys, the one strong and promising, the other poor little thing, so very pewney wee were obliged to have him christened immediately lest he should have died, without that necessary ceremony. However, God be thanked he still lives, and wee have more hope than fear about him. My dear Lady Jane recovered wonderfully, but by womanly anxiety about her little ones does not get her streinth butt, by a milk dyett, she is in, which seems to agree. I hope she will be quite restored to her former confirmed health before winter. Lady Jane wrote from Aix-la-Chapelle under Lord Crawford's cover to the Duke, her brother, acquainting him with her change of state and the apparent blessing that promised to attend it, and since her happy recovery desiring his Grace's approbation in the names she designs for the eldest, butt as yett has been favoured with no answer, which her ladyship attributes to the Duke's forgetfulness, and by your

want of health his wanting such a prompter as she has always found Lord Haining, where her interests were concerned. My lord, as her late increase of family must necessarily have been attended with extraordinary expenses, she expects your lordship will incline you, in your prudent manner, to give a proper hint to her brother to assist her with a proportionate supply on this occasion. Lady Jane would have choosed to have wrote this herself, but will write soon, and tells me to offer you and Lady Haining her sincere compliments and best wishes. I have the honour to be with great regard your Lordship, etc."

This again was dated from Rheims, August 25th, though the writer was in Paris!

There was a certain effrontery about this communication. It was written to a person he knew nothing of; yet he directs him what to do, to give "the proper hint" for "the proper small supply." The excuse as to Lady Jean's not writing because her eyes were "yett weak" is a pretence. She had written to her brother with notice that the Colonel would wish to write to him, and as no permission came, the best thing was for the Colonel to write to the Duke's confidential adviser.

When they were still in the city, letters arrived from Scotland to Lady Jean announcing to her the result of the appeal made to the Duke of Douglas. "By what is wrote to her he is in high passion and displeasure and threatens no less than stopping her annuity, which if true she hopes from your natural

inclination to justice and uncommon friendship you have ever showed her *that you will interpose your interest with the Duke of Argyl* and even at Court to prevent that strange man *from exposing himself* by so barbarous an injustice." As the Duke's allowance was voluntary, he could withdraw it when he pleased, so that the pressure thus invited was clearly the one suggested in other letters, viz., reviving the old charge.

Now commences a vast and elaborate system of deceit.

The deceptions as to place are supported by other deceptions as to dates. And here we shall see—what I have already hinted—how convincing, as proofs of plot and imposture, are the contrivances of the Colonel and Mrs. Hewit to amend the blunder they had committed in too hurriedly fixing a date for the birth. The Colonel had written from Paris to Lord Crawford: "The happy hour we look for daily; when her ladyship is able to stoop she will write, etc." This letter also is dated Rheims, July 10, 1748, but was written in Paris, on the day fixed on later for the *accouchement*, though at the time of writing it had not been fixed on! When deciding on the 10th as the "happy day," which was done not sooner than the 20th, they recalled that a number of letters had gone out on that day (the 10th) without a word of reference to the *accouchement*—a dreadful blunder! On the 10th the post from Rheims went off at 8 a.m. It is impossible that the Colonel would have been early

riser enough to write a number of letters before that hour. They must have been written late in the day. But then this was the day of the birth, and yet he wrote as if it were not immediately anticipated. He tells Lord Crawford, his correspondent, of the happy delivery on the 10th—the children will do well "with the blessing of God." "My lady recovers wonderfully, and the ninth day, which the wise women reckon the most critical, is over."

And what was his ingenious device for repairing his mistake? He made exactly the same sort of correction as Mrs. Hewit had made in her letter to the maids. "I fear," he wrote Lord Crawford, also on the 22nd, "the letter I wrote your Lordship on the 6th inst. may not have reached you; it was to acquaint you with the progress of Lady Jane." The artfulness of this is only rivalled by the transparency of the "dodge." It is clear there was no letter written on the 6th. He fancied Lord Crawford would have forgotten or have lost the date of the letter sent, so that the date fixed in the new letter would take its place! He also adds that it was to tell him the happy hour was looked for daily—the same words used in Hewit's letter. This, it is certain, he concocted for her, as it has not her usual amusing blunders in spelling, almost as humorous as those devised by Smollett.

A pocket-book of Lady Jean's, in which are minute notes of the days in which letters were written from Paris, contributes much to the doubts in the matter.

Thus she set down that on July 10, 1748, the day of the birth, the Colonel wrote to a number of persons, six in all. This is evidently done to suggest that he had sent off news of the event, but Lady Jean did not perhaps anticipate that four of these letters would be traced and recovered. In none of the four is mention made of the birth! In one to Lord Crawford there is even the "contrary expressions," "the happy hour we look for daily," and in the same letter it is stated that Lady Jean had that day received letters from Scotland which prove that the Colonel's letter must have been written late in the day, and after the time fixed for supposed *accouchement*, as no letters are delivered until after twelve. Mrs. Hewit described the crisis as beginning at twelve and finishing between three and four. He said it was in the forenoon.

On this occasion the faithful Lord Crawford wrote eagerly to all his friends who had influence with the Duke, pressing his case.

"*To Colonel Stewart at Rheims.*

"LONDON, *12th Aug.*, 1748, O.S.

"DEAR JOHN,—I had the pleasure of yours, just as my wound broke out again. I have been so distressed ever since, that it has not been in my power to answer you, notwithstanding, I hope both you and my Lady Jane will do me the justice to believe it is impossible to congratulate you with more sincerity than I do, on my Lady Jane's safe delivery of my two young relations. It is more than probable the same

Almighty Providence, who seems to have decreed their coming into the world, intends also to reserve them, or theirs, for his great ends. Almighty God preserve them, and their valuable parents, to rear them up in this selfish world.

"I was lucky enough to receive your letter soon enough before I fell ill, so as to recommend my Lady Jean's affairs to the Duke of Argyll's care. He promised me he would talk to my Lord Milton, in relation to bringing the Duke of Douglas to a way of thinking of the affair, as he ought to be. I also wrote to the Duke of Douglas a second letter, though I had no answer to my first, intimating to him my Lady Jane's safe delivery, thundering in his ears his family's cause, and trying to rouse up all that is Douglas in him; I wish it may have the desired effect. I have also engaged my Lord Home, who is gone down to Lord Mark Kerr's, to reconciliate him, and I intend to go myself as soon as I am well, in order to talk to him for some supplies for Lady Jane, which, I make no doubt, must soon become necessary. I have also spoke to the Master of Ross, son of the Lord Ross, who is lately come over from Prussia, and who is gone down to Scotland to see his father, to talk with his father and the Marquis of Lothian, to take the proper steps with the Duke of Douglas, to induce him to act by Lady Jane as he ought to do. The young gentleman undertook the thing very willingly, and, I believe, will do all that lies in his power to do you service. You shall soon hear from me again, par-

ticularly, after I have seen my Lord Mark Kerr. In the mean time, pray make my compliments, in the most kind manner, to Lady Jane, my blessing to the two young gentlemen, my compliments to Mrs. Hewit."

Now we may wonder why so many days were allowed to pass (till the 22nd) without announcing the joyful news broadcast, for it really was the turning-point of their fortune. What could be the reason? The truth was that no child had yet been procured, and that the difficulties of fixing on a day for the birth were tremendous—it was not, in fact, procured for many days after the 10th. No nurse was engaged either before or after the delivery, and Lady Jean's excuse was that "she did not think she would have a living child!" This was the fitting thing to do in case of a conspiracy, for, of course, the presence of a nurse before and after would be fatal to the scheme. She, of course, would know that there had been no delivery. Yet, here was really an all-important matter, and looked forward to for months, and one that settled the succession to great estates and titles. The most astonishing thing of all was that the parties concerned took their great piece of good fortune so coolly that for nearly a *fortnight* they never thought of communicating the good news to anybody! As one of the counsel urged, "It cannot be doubted that Sir John would next day, or at least as soon after as possible, have notified the delivery to Lord Crawford, and other persons, to whom he had

wrote on the morning of the 10th, without telling them anything of the impending event. Instead of which there was not a letter written to any mortal—not even to the two maidservants left at Rheims, acquainting them of the event, sooner than the 22nd of July, twelve days after it had occurred. Sir John and Mrs. Hewit could not surely have been both so constantly occupied during the twelve days as never to find a moment's leisure to communicate such important and welcome news to any one of their particular friends, or even to their own maids."

Of course, on the assumption that there had been no birth, all becomes reasonable and explainable. There was nothing to write about, and the pair were still debating what day could be fixed for the imaginary birth. Ten days went by, and the details were not really settled till about the 20th, when the announcement could be made.

From Paris accordingly they continued to despatch letters announcing the joyful news. Four letters were written in July and August from the Rue Paris Hotel — two to Lord Crawford, one to Robertson (the Attorney), and one by Lady Jean to her brother the Duke, formally announcing the birth. All were dated from Rheims! In one of them he says: "We have made choice of Rheims for the good air and cheapness of everything; where I see we may live well enough, &c. Rheims, July 22." At the moment he was in Paris. The friendly nobleman whom he was thus deceiving had advanced him

money, and now the Colonel seized the opportunity to urge the serious expenses of the *accouchement*, and begs for £100 more.

How extraordinary seems all this complicated manœuvring! Imagine at the present time, if heirs to a great title and property were born in London where the parents were living, but who dated their letters from, say, Canterbury, writing as though they were living in that town—would not the gravest suspicion, nay, certainty, of plot or imposture be roused? This element, if it stood alone, would be sufficient to destroy the whole case of Lady Jean and her husband.

CHAPTER VIII

HOW THE CHILDREN WERE FOUND

THEIRS was really an embarrassing position. As we have seen, the great aim was to make the incidents of the delivery as confused as possible; so they chose to fix on three different places for their residence in Paris, changing from one to the other all within the space of about twenty days. These were Godefroi's Hotel, le Brune's (a sort of nurse), and Michele's Hotel. She came to this latter house about seven or eight days after the assumed birth, yet all the people in the house declared that, though she was pale and delicate-looking—which she was always more or less —no doctor, nurse, or attendant ever came to see her. The nurse who was in charge of the child never heard her complain of indisposition, nor did Lady Jean go to bed earlier than the others. Not only this, but there were many jaunts to see the sights of Paris ; a long day at Versailles—a regular party of pleasure—a great feat for one who had been recently so ill. This was wholly denied by the Colonel and the others, but it was proved in the most distinct way.

But here is another extraordinary thing. The pair arrived—coming straight from the scene of the imaginary birth, which had taken place ten days before at Madame le Brune's—at Michele's, and without any child! Their story was that the two newly-born infants were so delicate and weak that they had been sent out to the country to nurse! On the presumption of an imposture this was most natural and to be expected. The truth was the Colonel had been busy searching for a child, had found one which he could not bring home to his lodging; so it was necessary to shift the scene, and on the very next day after his arrival he went out "to the country" and returned with a child. Indeed, it is imposition alone that make all these proceedings intelligible and consistent. The only way to bring the child or children on the scene, without an actual birth, was this of changing the house after the pattern of the Kinnairds.

There was certainly an interval of some days—the time she claimed to have spent at Madame le Brune's—between their leaving Godefroi's on the 14th and their arrival at Michele's—the third residence. But this really affects the matter but little, for if the *accouchement* took place in that interval it would have seemed a prodigy that Lady Jean should arrive at Michele's in such perfect health. The landlord and landlady both declared that the trio went off next day to fetch their child, nearing three weeks old, and returned with it in the evening. All the people in the house agree in this story.

A Madame Blainville, who lodged in the house, described the strange scene that followed, and which is all in keeping. She says a gentleman came into the room and asked her to come down to look at the child. She did, and found a lady in blue, another lady, and a nurse. The lady in blue took her courteously by the hand, and asked her to look at her child, which would not suck and was always crying. She undressed and examined it, and saw it was a weakly, delicate thing. She found out that this was the fault of the nurse, who could not nurse, and she said they ought to turn her away instantly; on which the gentleman, falling into transports and lifting his eyes to heaven, cried out, "Wretch, you do not know whom you have to do with! The child is of much greater value than you imagine." The lady threw herself into an armchair, and fell down as in a faint; her attendant offered a little water, which she refused to take, and fell to weeping. The nurse threw herself at his knees, on which he said she was an unhappy wretch, that he would have carried her with him and made her fortune. All this is exactly what might have occurred in the case of a low peasant's child bought, and a low woman picked up as nurse. Mrs. Hewit alludes to this scene in her letter of July 22nd, thus fixing the date. The entry of arrival at Michele's runs: "*Monsieur Fluratl Eccossais, et sa famille. Le 8 Juillet,*" a mistake, as both sides agree, for the 18th.

All this is dark and confused enough for a matter that ought to be clear and light as day. But the pair

were darkening it still more. For some reason they had determined to conceal from every one at home that they were in Paris at all. They were also careful to keep out of the way of any of their friends who were in Paris, and who consequently never suspected they were there. There was the Chevalier Johnston, living in the city, a relative of Mrs. Hewit's, and a most intimate friend of Sir John's and Lady Jean's. She had hidden him, as we have seen, at her house—after the '45. This person had come over with them disguised, in the packet from England, had lived in family with them at the Hague for two or three months, had gone to Paris, and was there at the time of the supposed birth. He was in constant correspondence with them, yet never during the whole period had they told him a word of the birth, or that there was a child at nurse close to Paris. Besides Johnston, there was in Paris during nearly the whole of 1748, Sir W. Stewart and his lady, old Scotch friends of the Colonel's. They had met at Aix and at Spa, and were much together. Yet in Paris neither saw nor heard anything of the pair. The birth Sir William only learned from Johnston, and he even supposed that it had taken place at Rheims. This avoidance of such intimate friends must seem suspicious, and really can but be explained in the one way. The reason of the concealment is plain. It would not do that persons on the spot should know anything of the matter, as they might inquire; only those at a distance were informed.

Thus as I have said, it was contrived that a complete mist should be thrown over the place where the delivery took place, which might have been at Godefroi's, the first house to which they came, or at le Brune's, which, they said, was the second; or at Michele's, which was the last. In the earlier stage of inquiry Sir John held to the last, in the second to le Brune's. He never took the trouble of going back to Paris to walk over the ground and refresh his memory, or to search out the accoucheur. Lady Jean came to Michele's, as it was maintained, after her confinement, but the people there had never heard of an accoucheur or of le Brune. More astonishing still, in spite of all the researches of the police, the house of this le Brune, though described as being in the Faubourg St. Germain, could never be discovered.

We can imagine the unfriended pair in their Paris lodgings, concocting these schemes, rushing about the city, trembling, it may be, lest they might come on some old friend, seeking for children. The woman they had picked up of a sudden to act as nurse with her general incapacity proved to be a convicted thief. This shows how low they were obliged to descend for purposes of concealment, for they shrank from applying in any respectable quarter. But every incident in this Paris story is unaccountable as it is improbable. Here were two children born, whose birth is all-important to their parents, yet we find these parents, within twenty days, occupying three different apartments—the first before the time of the

birth, and which is known with the name of the house, street, and owner; the last, after the event had taken place. All particulars are known—names of street and house, and of the owners. But of the intermediate house, where the birth, according to their story, *did* take place, neither street, house, or owner is known. They had arrived at Godefroi's just two days before the supposed birth, yet no one in the hotel noted any sign of the approaching event, nor were they told of it. But during the days of their disappearance and before their arrival at the third house, Michele's, they had been busy enough, for it was during that period, it is contended, they were busy searching for a child, or for children.

It seems that in July a woman who sat outside the Church of Nôtre Dame, selling small loaves, was one day asked by a "foreign gentleman," could she get him the loan of *two* male children, to supply the place of twins which his wife had just lost. The woman entered into the business, and thought of a child in her own house belonging to certain peasants called Mignon, and which was about a fortnight old. The foreign gentleman found it suitable, and brought a lady on the next occasion. They said that he told them that the lady was not yet recovered, but that he would tell her that this was one of the children and that the other was too weakly to be brought to her, exactly as was the case in the latter story. He gave her three gold louis, and took the child away. The date could not be exactly fixed, but it was said to

have been nigh the feast of St. Clair, which was July 18th.

It was described that when Sir John, or the stranger, entered the room where the family were, he had seen all the other children excepting the one which he carried off, and. as probably, they were rather too big for his purpose, he asked, "*n'en avez vous pas de plus petits?*" Upon which the youngest, about twenty months old, was presented to him. He asked his age, and soon made choice of him. He gave the parents 18 livres to buy clothes for him, and 48 livres for themselves. The child carried off was of a fair complexion, fair hair, blue eyes, and a very handsome child.

We next find them at Michele's Hotel, the D'anjou, in the Rue Serpente. Some twenty years later, Michele described how "a Scots gentleman came alone in the morning to hire an apartment, consisting of two rooms and a closet and came back in the evening with two ladies." The gentleman was about sixty-five, tall, strong, and of good mien, wore a coat of a chestnut colour, with a gold button and an old wig which was yellowish and in a bag. That his wife appeared to be under forty, pretty tall but very thin and dressed in a blue gown. She was very white and pale and had a sickly air, her head-dress was rather *en néglige*, as a person indisposed. Her chest seemed rather flat, and was covered with a large napkin. The other lady was described as tall, and brown, with the face of a man rather than of a woman. The maid

Marie waited on them, whom they rechristened "Maria," and on the day of their arrival she asked their names and wrote it down in one of the hotel books.

Of course it could be urged and with some force, that the Colonel and his wife would not be so foolish as to fix the occasion of the birth at a place, and on a date, where the people could so clearly show that it had not taken place. But, as was truly stated, they were helpless in the matter, being forced to select a date within a very few days, that is, from their arrival in Paris on the fourth, and their arrival at Michele's. Their only chance was to trust to the general confusion, the shifting of places, which, as there would be a long interval before inquiries would be made, could be all as it were "jumbled up together." And so it, in fact, proved to be the case, for many years elapsed before any investigation could be made, and by that time many were dead and lost to sight, and the whole matter had become entangled.

The age of the purchased child, too, was another difficulty for them, for it was too old to pass, having been born later than the 14th; it was in fact born on July 4th. As it was the people at Michele's must have been surprised to find a lady arrive on the 18th in so convalescent a condition, who had been "delivered" on the 10th.

How dangerous the pair considered this *locale* of the Godefroi's is clearly shown by the reserve they always maintained on the matter. As long as they

could they never mentioned the name. The Colonel in various accounts, only spoke of Michele and le Brune, until on being searchingly examined in Court in 1762, he had to give some account of Godefroi. When too, he was gathering up some evidence abroad as to Lady Jean's apparent condition he never applied to the Godefroi's, though she had come to them only six days before her *accouchement*, when something must have appealed to all eyes. When "the Cause" was in progress, he wrote to Rheims to his friend the Syndic, a most pressing letter, asking him to find out for him the names of the servants who were at the hotel in the summer of 1748, adding this strange request :—

"I beg of you to make, or cause to make, this research without Mr. Godefroi knowing it. I recommend it to you, sir, with earnestness." Then in a postscript he reiterates, "If the servants of Mr. Godefroi are no longer with him, I hope some of them may be found, *no matter at what price*." What could this mean, but (1) the consciousness that Godefroi's evidence would not be favourable, but hostile ; (2) that the servants would be brought in contact with the Duchess of Douglas who was actually at work. With management they could be brought to depose to the absence of the Colonel and his wife on the dangerous day of the 10th of July. It will be seen that though twins had been announced only one child had been produced. The other, it was given out, had to be sent at once to the country, it

was so weak in health. The truth was, they had only succeeded in purchasing one child, and the buying of the other might stand over till a favourable opportunity offered.

On the very night of his birth it was claimed that he was carried away to the country to be left at nurse in a village! "Though he was weak, richetty," always ill, during three weeks his mother never went to see him. She even left the city for Rheims without ever seeing him. All this was admitted in the case; and then for sixteen months was he left at the village, in the hands of strangers, without any of her friends at Paris being asked to look after him or inquire about him! Of course this was assuming the truth of the fabricated story, for there was, of course, *no child* to look after or visit, for he had not yet been found; but the tale is inconsistent with the case of a real child who had been born to her.

Again it must be asked, Is all this confusion and *tracasserie* consistent with a plain, genuine, honest birth, taking place in the light of day, and without fear of anything or of any investigation?

But now a fresh embarrassment for the pair was the matter of the baptism. How was this to be contrived? The bought child had indeed been baptized by its own legitimate parents, but it would be dangerous to register it according to law afresh. Still the pair felt that as the incidents of the birth were so wrapped in mystery, it was necessary to have some sort of official recognition or proclamation of the

event which could be appealed to in times to come. What could be better than a public and ostentatious christening at Rheims? But the parties were all Protestants, and even if a minister could be procured, it must necessarily have been of a private character. But it could be done in a fashion that might appeal to the imagination of the whole town. It will thus be seen that this incident was a part of the general plot, to set abroad the idea that the birth had taken place at Rheims. From this city, as we have seen, had the letters sent home been dated, though written in Paris. Why the baptism had not taken place in Paris, where they had remained so many weeks, was a question often asked in the course of the case. But it was believed that after a number of years had elapsed, and the child had grown up, appeal could be made to the grand *fonction* at Rheims, and it would naturally be supposed that the birth had taken place there. The baptism, however, was delayed for a long time, as they were waiting for Lady Wigton, who was to be the godmother. Soon after her arrival the baptism took place in the parish church, and by the parish priest. Lord Blantyre, was represented as godfather, and so was their friend Baron Macgillot.

"There was a great concourse of persons in the chapel, which they believed proceeded from curiosity *because the child was born of Protestant parents and foreigners.* Lady Wigton supped with her that night, as did all the godfathers mentioned, and a gentleman

in the habit of a priest who was said to be the Bishop." This proved to be the Bishop of Joppa, and, according to one of the servants, he was quite angry that he had not been asked to perform the ceremony! It took place in the parish church of St. Jacques. The copy of the Register is given in which we find the sponsors—Mr. Macnamara, who stood for Lord Crawford, Mrs. Gorse and Madame Andrieux, who stood for Lady Lothian.

But how strange all this—Lady Jean, the ardent Scottish Protestant, who had been so eager in going abroad, to a Protestant country, where she could practise her faith with ease and comfort, having a Popish ceremony in a Popish chapel in a Popish town, with Popish priests performing the rite! There was nothing to prevent a simple Protestant baptism, by some stray parson or "bear-leader" taking a pupil over the Continent; but *that* would not have made the baptism conspicuous, and as we have seen the conspicuousness and show of the ceremony might cover up the obscurity of the birth.

One Macnamara "held up the child for my Lord Blantyre at the drinking, and the wife of one of the inhabitants for a Scotch lady." The Colonel was ostentatiously liberal; he forced a guinea on the curé, paid six livres for "sounding the great bells, gave six to the organist, and when he went out of the church threw handfuls of money among the crowd."

These circumstances of the baptism further con-

firm our suspicions. The supposed child was not formally baptized in Paris, though the law was strict on the point, and the medical practitioner was bound to see that it was done on the day or within two or three days of the birth. But Lady Jean was a Protestant lady, highly religious, and might object to a Catholic rite; still there were Protestant ministers to be had at the Embassies who would be glad to aid a lady of her rank. This objection, however, vanishes after the great public baptism in the Catholic Church at Rheims with Catholic rites and by Catholic priests, one condition being that his sponsors should contract to bring him up in the Catholic Faith. Inconsistent as this appears, it becomes quite consistent if we consider that a baptism at Paris would not suit the mystery and concealment. But at Rheims the utmost publicity was required—the child has, as it were, to be exhibited to all comers. The registry of this Rheims baptism, it might be assumed, would furnish details of the place of birth, date, &c. But the watchful pair contrived somehow that the entry should be quite blank as to the date and place of the birth! And here, as it was argued in the case, more expense was incurred in a single day for this costly festival than would have sufficed to carry the maids to Paris, to have had a manservant, and proper medical aid and nurses.[1]

[1] In this connection it was very notable that while the pair were in Paris, they could not *afford* to keep a manservant, but from the

But we are not yet done with these baptisms. Lady Jean, who was so scrupulous as to the difference between Protestant and Catholic countries, and the opportunities of following her religion, actually allowed one of her children to go unbaptized for three years! when, on the suggestion of a friend, the child was properly baptized in England. Of course the two children *had* been formally baptized in their own faith —and the one at Rheims twice over.

It had now come nearly to the close of the year. No doubt the Rheims folk were beginning to ask questions as to the second boy. Near eighteen months had passed by, and there was no appearance of the twin brother Sholto, still presumed to be at nurse in the country outside Paris. It seemed strange that the affectionate parents could spare their offspring for so long. It was a difficult matter, but it was necessary that something be done. Accordingly, after this long interval, in November, 1749, the whole party set off for Paris to bring back the other child, and, as it appears, only too probable, to try and find him. Again was there great mystery found necessary, not only to bring him back, but to find him or buy him, as they were said to have done in the case of the other.

This journey, begun about November 11th, was as full of mystery as the other. They borrowed a chaise from a friend, or rather took it, for the owner was

day they came to Aix until their setting out for Paris they always had one.

absent, on the sanction of a friend of *his*. According to the driver's story, they proceeded till they came to Villette, a village some distance out of Paris, where this odd circumstance occurred. The driver was directed to put up there, while a hackney coach was fetched to take the pair on to the city. This was, of course, to ensure that he should know nothing of their doings. He was left there for seven or eight days, and became very uneasy, not knowing what had become of them, until he met the Colonel one day in the street, who told him that he would come to Villette, which he did later, then bringing a child with him. More mystery.

This leaving their carriage outside Paris is a sign that they wished to hide their proceedings more effectually than they had done in the case of the first child. We might expect that this was preparatory to the assumption of a false name. And we do find that the persons who were concerned in carrying off a child at this very time when they were in Paris pretended to be Irish, and were called by an Irish name. So well, indeed, did they shroud their proceedings that there is no trace of them to be found under their own name.

Of course difficulties, and ingenious ones, were raised as to all this evidence; there were contradictions and inconsistencies as to the bought children—above all, there were many who declared that one or both were the image of their mother. Still nothing is so convincing as the *behaviour* of the pair, who,

at least, simulated that of persons who were contriving an imposture. And again, as the counsel pointed out, what could be more unlucky for the Colonel and his wife that in the two years during which they visited Paris, the only instances of carrying off children should have taken place during the two periods when they were there, and almost in the very week.

For it was a curious, though not wholly convincing coincidence, that in these very months and years, two children had been taken from their parents. In a large city like Paris, this might often have occurred. But it turned out, owing to the police inquiries, that there was not a single other instance of a child having been carried off from its parents, during those two years, save these two, that is, from the month when the first child was said to have been born, to the month when the pair came to Paris to fetch the child at nurse.

The incidents connected with the arrival of the youngest twin are most extraordinary. According to the account of the father and Mrs. Hewit, it came into the world in so weakly a state that his life was despaired of, so that on that very day, or on the morning after, it was sent off to the country, a dying child! For sixteen months the mother never saw him, or went to see him. He was put in charge of a nurse of whom she knew nothing, and of the accoucheur, whom she had seen only twice, and whose residence they did not know. Was this like an amiable and affectionate mother, who, we are assured, died of grief at losing this very child?

All this is unintelligible and virtually incredible. But on the supposition of an imposture, how plain and clear it is. There was no child, no nurse, no place in the country, so that Lady Jean could not expend any of her maternal care on any one. It is certainly a most elaborate display of ingenuity, and well maintained—the servants kept at a distance, joy assumed, one set forth as a fine lusty child, the other as a dying one.

According to the police register, there was staying at the Croix de Fer, about November 21st, a M. Devernes, who remained some seven or eight days. A certain Père Cotterel, who was curé of the parish of St. Laurent, was waited on about November 25th by a gentleman who came to tell him that a lady of condition was desirous to do good to poor families burdened with children, and begged for a list of poor women who were in that condition. The curé pressed for the name of the lady, the other mentioned the street in which she lived, but declined to give her name, as she wished her goodness to be secret.

The housekeeper of the inn well recollected a gentleman and two ladies coming to lodge there, the youngest lady seemed about thirty-five, of good height and slender make, the other corpulent and taller. The gentleman was tanned, and seemed about fifty. On the day of their arrival they went out and returned. She also saw the parents come, and described them as going away at eleven. The innkeeper also described them going away at eleven at

night. He said that the gentleman wrote in the book, "Devernes Irlandois son epouse et *sa compagnie.*"

The gentleman then wished to learn from the curé the address of the sisters of charity, which he obtained. The gentleman was described as tall, well-proportioned, with a manly air, and from about fifty-five to sixty years old; his face was a little long and pretty full. So far it looks very certain that this was our old friend. We next find him at the convent, where Sister Reine put him under the direction of a mason's wife, who carried him round to various houses, none of which were satisfactory: some were of the meanest type, a few boys lying upon the straw. Returning to the Sister, she sent him to a family called Sanry, where he found what he wanted, a fair child, and opened his proposals. He returned with a lady of stately mien, and they took the child away in a coach, giving money and making many promises. The parents later repented, and went to the police, who took up the matter, but it was found that the pair had gone away. The child was about twenty months old. The gentleman they described as having a military air, was tall and of pretty strong make, he seemed a foreigner, and spoke very bad French. The lady had a sort of veil or hood and a pale, white face. It was altogether one of the most extraordinary coincidences that could be imagined—that is, if we accept Lady Jean's account. But still the business, desperate as it appeared, had been carried through. Here they were now, almost in possession of two children, very

nearly of the suitable age, though it was shown that one of the twins was older than the other, and though opposed by the parents, succeeded in getting off with their prey.[1]

Thus equipped with the two children, they now found that it was necessary to begin operations in England. But how were they to get away? They were deeply in debt to the people of the place, and they would not be allowed to depart without discharging their obligations. As usual the resourceful Lady Jean was equal to the emergency. She applied to friends and received a supply of between three and four hundred pounds, with which they paid off their creditors and got away.

The funds for bringing the pair home from Rheims to London were not their own, but were, as usual, supplied by friends—by Lord Morton to the amount of £350, for which Lady Jean gave her bond. These

[1] The Sanry child was born on March 19, 1748, the Mignon child was born or baptized on July 1, 1748; therefore one of the *twins* was nearly four months older than the other. It may be added that while they were at Rheims, and to support the theory of Lady Jean's maternity, some clumsy devices were employed, and in a rather grotesque shape. After the supposed birth of the two children the mother began to be afflicted with miscarriages—no less than *five* of these occurring within a single year! The unlucky Lady Jean would constantly meet with an accident of some kind which led to one of these miscarriages. She would be invisible for weeks, while the faithful maids went about recounting the story. But the remarkable thing was that during these serious attacks the patient would permit no physician of any kind or no nurse to see her or attend on her. And thus unaided she came through every crisis of the kind.

seem to have been something after the nature of the Tichborne bonds, and were no doubt to be paid off when they came into their property. Lord Crawford and other noblemen furnished large sums also on her bond.

Then released, they set off for London to begin their weary enterprise.

CHAPTER IX

EVIL DAYS

FROM London, Lady Jean wrote gaily and lightly enough to her old friend, Lady Mary Hamilton, now Menzies, of the diversions, &c., that were going on, and in which she took her share. These are really lively, pleasant letters. "Your ladyship will perhaps expect news from this gay place; but consider I am a very dull body, and that there have been two very great earthquakes, which have affected and sunk the high spirits of the great town extremely, and sent half of them out to the country. Your humble servant, Madame Hewit, has profitted of some diversion—gone to several plays, been at Ranelagh, Foxhall—the last is reckoned one of the finest things in Europe. I have only been at Ranelagh and seen two plays. Other matters have occupied me hitherto too much to have leisure for these gaieties since my being here. I have often had my cousin Neily Stewart with me, and think him a mighty agreeable young man, and one who has a great deal of good sense and good nature. He is extremely like the

family of Argyll, and much resembles the present Duke, and if his Grace were acquainted with him I am confident he would judge him worthy of his care, and take him under his protection. What a pity none of his near relations and prosperous friends here have presented him to the Duke! The piece of service would have cost them little—but we live in a selfish world, where narrowness of souls prevails!" She returns to him later and tells her friend, "Our cousin, Neily Stewart, proposes to leave this place next week, so your ladyship will have the pleasure to see him soon in Scotland." Neily was clearly "one of her young men," and, like the others, may have placed his purse at her disposal. Letters, she said, should be sent to the care of Mr. Murray, in St. James's Place. This was a friend or connection of the future Lord Mansfield, whose warmest friendship this clever woman had gained, and who was destined to carry her cause for her.

This story of the birth of the twins, as it became known in England, was received with suspicion and incredulity. Many of even Lady Jean's friends pressed her to take some serious steps as to collecting evidence to satisfy these doubts, but she pleaded to some want of money, to others that she disdained to repel such doubts on her character.

In this disastrous state of affairs her first and all-important plan was to secure a reconciliation with her brother, and she fancied that he must give way on receiving the news that his sister, with her two children,

heirs to his estate, were now arrived in town. But the Duke declined to recognise her letters or appeals ; and it was known that in his own circle he gave loud vent to his anger and disgust at the two "nunnery children," as he called them, which his sister was trying to impose on his family. This passive attitude of his was enough, for no question could be raised till that of the succession arose, which would be on his death. Further, the Duke had the right in his own hands of disposing of his estates as he pleased, so that if Lady Jean failed to bring about a reconciliation, all her pains and trouble would be bootless. Yet the cards had been all played with a view to his reconciliation, which, it was hoped, the mere announcement of the birth would bring about.

After all these elaborate precautions and details, it was disastrous for them to discover that the Duke indignantly repudiated the whole transaction, regarding it as a plot, and calling the children "the pretenders," or, in allusion to the political tenets of her husband, "nunnery children." But to all appeals he was obdurate. Part of the business was the exhibiting the children to friends, and claiming their admiration for the infant heirs.

When Lady Jean carried the two children to Lady Stair, that Lady examined them, and looking into their mouths challenged her for trying to make them pass for twins, for the one appeared to be considerably older than the other. This a Major Cochrane reported to the Duke, though she denied having said

so. This point was insisted on in the case of the two French children who were carried off, one—as it was shown by the register—being many months older. When Lady Wigton met the pair in London, she was shown the two children, and learning that Sholto had been only "dipped" or *ondoyé*, expressed her surprise that he had not been "regularly christened." As she renewed her subject pretty often, the accommodating Lady Jean arrived one day at her house at Hampstead, bringing the child and a Scotch clergyman, and the ceremony was performed, Lady Wigton acting as godmother. This gave it a *status*, and was a fresh recognition—and thus it was contrived that both should have a *registered* christening.[1] It was astonishing how her friends worked for her. Her old ally, Mrs. Carse, in May, 1752, plied the Duke with letters, which were intercepted by the intriguing Stockbrigg. She even suggested an extraordinary plan. "How easy may it be to procure a *Royal Order* either by interest with the Princess Dowager to make his Grace see you and be on friendship with you again. Woe to them that was the occasion of the first break, which was the leaving his house that was the beginning of all the

[1] As regards this christening at Hampstead, there seems to have been some mystery about that also. For as Sir Hugh Dalrymple learned, the parish clerk swore that there had been no christening, and his sister, with whom Lady Wigton lodged, said nothing of the sort had taken place in her house; while the Presbyterian clergyman of the place swore that the baptism was not entered in any of their records.

difference. *But his Grace lies at the King's mercy.*" And this hint Lady Jean had not been slow to take, and was anxious that pressure should be put upon him, by the agency of the old murder or manslaughter charge which might be revived.

But now set in a disastrous state of things. The luckless pair, after the first congratulations had spent themselves, were sunk in debt, and having exhausted the liberality of their friends, knew not where to turn to. The usual sequel was to be expected, and we are hardly surprised to find the Colonel presently residing "within the Rules" of the King's Bench, having been arrested for debt.

A draper at Charing Cross, Grindlay, had a house at Chelsea, which he let to Lady Jean during the time her husband was in prison. For a person in such straits her establishment was sufficiently large, consisting of herself, Mrs. Hewit, the two children, and three servants. She herself was all the time in serious difficulties, and her host had often to go out and pawn her clothes, jewels, &c. She contrived to run up a bill to the trusting draper for £150, for which husband and wife gave a bond.

When she later set out for Scotland she left behind her three boxes containing papers; later, on his giving these up, the debt was paid to him. Lady Jean was always confidential with this sort of folk, and gained them by telling them her story. She lamented to him that she had not the power of clearing all up, as she had no money to go to France. She complained, too,

of the expense of naturalising her children, which, she said, would be about £600 apiece. The Colonel lodged at Beadle's, a silk-dyer's, in Blackman Street, Southwark, which was within the Rules. This place he left about May or June, 1752. His rent was fairly well paid, and when he became Sir John he owed about £20.

It was now that their more prudent friends—on the exhibition of the children, and the hearing of whispers as to the mysterious circumstances of their birth—began to suggest the necessity of putting on record and securing the evidence of their birth. The pair were at last constrained to do something, and accordingly agreed that they would write abroad for such evidence. It will hardly be credited to what quarters they applied—not to Paris for the proper documents, registry of baptism, accoucheur's, servants', and other testimonies, but to their landlady of Aix-la-Chapelle. And for what? For a testimonial as to her appearance when she was residing in that city! *C'est pour rire.* The landlady sent over a sworn deposition to the effect that she had noticed her size, that a dressmaker had twice let out her dresses, &c. How strange this must have appeared to the friends! But no more than this was to be obtained.

It must be admitted that much of what is now to follow, during the period of Sir John's imprisonment, becomes the strong point of Lady Jean's case, for in these growing difficulties and struggles she was to exhibit really fine qualities, undaunted courage, perseverance, enterprise, and a steady affection to both

husband and children. The display of these virtues were indeed destined ultimately to secure the triumph of her cause, and were certain to command admiration. It may be that this extraordinary woman had contrived the exhibition of these virtues as an engine in her case, and, improbable as this seems, her wonderful capacity might warrant the suspicion. In any case it remains an extraordinary psychological problem. Granting the full weight to this display it seems out of reason that it was to set aside a vast body of almost convincing facts, or that a becoming and decorous behaviour during a series of years was to nullify the principles of common sense.

As it was truly said by the sagacious counsel who drew up the case, "The assumption of an apparent tenderness is no less essential to the plan of such an imposture than the reality of affection is natural to the mind of a real mother. It does not consist merely in pretending to be delivered; to gain belief for this fact it is not only necessary to pretend pregnancy preceding the birth, but to affect the behaviour and affection of a mother after it."

While her husband was in prison the whole burden of the struggle was thrown upon her. She had to find means for his support, borrowing "right and left," scraping together shillings and half-sovereigns, which she would send him for his immediate necessities. She had to comfort and keep up his hopes, which she did in a series of the most encouraging, affectionate letters, which commanded the admiration of courts and

lawyers, and the public. She had to carry on the campaign, devise schemes to keep the interest alive, and travel about. Thus she wrote from Edinburgh to him : "Don't be uneasy and impatient because I cannot yet write of anything that is material, but rest content and assured that I have and will neglect no occasions of doing everything that is expedient and fit to be done in the present posture of affairs." And again : "Take no care about my managing material matters in a right manner." This generality had something cryptic, and was evidently intended for reading "between the lines." A person on such a mission would not be so guarded, unless there was some scheme on foot planned between them. But Lady Jean was an extraordinarily far-seeing and most patient character, full of *finesse*, keeping the threads in her own hands, and holding in constraint the rough and blundering efforts of her husband.

For long, therefore, Lady Jean maintained this attitude. She continued guarding the interests of her children ; she liked and, maybe, loved them, and it would save her much effort if she treated these valuable pledges as though they were her own. A strong point was that every year was adding to the strength of the Scotch plea of repute and presumption ; the efflux of time and habitude making it more and more probable that they were the true children of their parents. In this view we actually find she was encouraged by a personal friend, a former Lord Justice Clerk, Erskine, Lord Prestongrange, a very

remarkable man. He told her that she ought not to stir in the matter, that is by sending for evidence, but that *report* would suffice. The final issue proved the soundness of his view. This Lord Prestongrange is not to be confounded with the Lord Grange who was notorious for a dark piece of family history. He was a Jacobite, as heedless and unscrupulous as the Duke of Douglas, in the mysterious and unpunished killing of a man. The story of Lady Grange, his wife, and her "sequestration," as her husband humorously called it, is alluded to by Boswell: and it may be repeated that Lady Jean to the last held by his advice, to *say nothing*, and let the operation of "Repute" do the work.

And this throws much light on the dying affirmations, as they were considered, of husband and wife, which may be read in connection with this legal theory, that the children had gained the status of being hers by this sort of repute. To Mrs. Macrabie she insisted that "*if anybody doubted, yet it was their business to prove the child was an impostor*, which *she knew was impossible*, for Mr. Stewart owned the child and knew it."

But the difficulties of the pair were increasing: an imprisoned husband—her own separate establishment to be kept up—debts in every direction—the whole of these burdens were thrown upon this intrepid woman.

But never did she lose hope or relax for an instant in her endeavours, spreading her story everywhere

and exerting all the charm and wonderful powers of attraction and fascination with which she was unquestionably endowed. In one instance, these gifts were so powerfully efficacious and convincing, as to produce a result that seems nearly extraordinary.

With the prospect of utter destitution before her, and hardly knowing where to turn, she addressed a letter to Mr. Pelham, the Minister, asking for the King's bounty. This seemed a step almost founded in despair. It is certainly a very "proper" natural appeal, not without dignity and pathos, and showing in what a wretched situation she was.

"Sir," she wrote, "if I meant to importune you, I should ill deserve the generous compassion which I was informed some months ago you expressed upon being acquainted with my distress. I take this as the least troublesome way of thanking you, and desiring you to lay my application before the King in such a light as your own humanity will suggest. I cannot tell my own story without seeming to complain of one of whom I never will complain. I am persuaded my brother wishes me well; but from a mistaken resentment, upon a creditor of mine demanding from him a trifling sum, he has stopped the annuity which he had always paid me—my father having left me, his only younger child, in a manner unprovided for. Till the Duke of Douglas is set right, which I am confident he will be, I am destitute. Presumptive heiress of a great estate and family, with two children, I want bread—your own nobleness and mind will make you

feel how much it costs me to beg, though from the King. My birth and the attachment of my family I flatter myself His Majesty is not unacquainted with; should he think me an object of his Royal bounty, my heart won't suffer any bounds to be set to my gratitude, and give me leave to say, my spirit won't suffer me to be longer burdensome to His Majesty longer than my cruel necessity compels me. I little thought of ever being reduced to petition in this way; your goodness will therefore excuse me, if I had mistaken the manner, or said anything improper. Though personally unknown to you, I rely upon your intercession; the consciousness of your own mind, in having done so good and charitable a deed will be a better return than the perpetual thanks of, sir, your most obliged, &c. May 15, 1750."

This "beautiful letter," as it has been called, does the writer infinite credit, as a composition. It is "easy, natural, affecting." Yet she seems to lay the displeasure of her brother to the account of her creditor's application, whereas she knew that it went deeper, and was due to the belief in the imposture. She represents it as a recent occurrence, whereas it had occurred long before. She had, moreover, often "complained" of her brother, and that in good round terms.

"Madam," wrote Mr. Pelham, "I should be extremely sorry to give your Ladyship the trouble of calling upon me, but am very glad I can now, with certainty, assure you your request has been laid before

His Majesty by the Duke of Newcastle. On Saturday last Mr. Pelham had notice from his brother it was granted." [1]

This grant of a pension seemed an extraordinary favour to be conferred on one in her sad and degraded situation. Her husband was in prison, she herself in a most painful position, and, above all, bitterly hostile to her brother, who was so devoted a supporter of Government. The truth was the favour was secured not on the merits of her case, but was obtained for her by the powerful interest of Murray, later Lord Mansfield.

In his speech on the Appeal, too partial and highly impassioned, he declared solemnly that he "had slept and waked upon the subject, and considered it upon my pillow to the losing of my natural rest." He was at the time Solicitor-General. He exerted himself so

[1] "ARLINGTON STREET, *Aug.* 3, 1750.

"MADAM,—I have the pleasure now to acquaint you, that his Majesty has been graciously pleased to approve of the humble request which I laid before him, and to order me to pay you three hundred pounds a-year, as long as your Ladyship's situation shall make such an assistance from his Majesty's bounty necessary for your support. This method will, I flatter myself, be most agreeable to you, as the whole sum will come to you without fees or deductions; and no further trouble now remains to your Ladyship, than to authorise your agent to receive it from my hands, the first half year of which I shall be ready to pay to your order any time after next Michaelmas. Whatever share I may have had in procuring to your Ladyship this mark of the King's goodness, cannot but be very pleasing to me, as it furnishes me with an opportunity of testifying the great respect with which I have the honour to be, &c."

LORD MANSFIELD.

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earnestly and so promptly, that the favour was obtained through his efforts, within a few days.

"She came to me," he said, "(I being Solicitor-General) in a very destitute condition, and yet her modesty would not suffer her to complain. The noble woman was every way visible, even under the pressure of want and of poverty. Her visage and appearance were more powerful advocates than her voice; and yet I was afraid to offer her relief for fear of being constructed to proffer her an indignity. In this way, she came twice to my house before I knew her real necessities: to relieve which was now my aim. I spoke to Mr. Pelham in her favour, told him of her situation with regard to her brother. Mr. Pelham without delay laid the matter before the King. The Duke of Newcastle then being at Hanover was wrote to; he seconded the solicitation of his brother. His Majesty immediately granted her £300 per annum, and Mr. Pelham was so generous as to order £150 of the money to be instantly paid. I never did trouble His Majesty for any other. *Lady Jean was the first and the last who had a pension by my means.*" All which shows how deeply interested was the writer in his country-woman—and fortunate for her, he not only snatched her from beggary, but his vote and powerful advocacy was later to secure a fortune for her child. It was certainly he and his influence that carried "the Cause." He goes on:—

"At that time I looked upon her to be a lady of the

strictest honour and integrity, and to have the deepest sense of the grandeur of the family from whom she was sprung, a family conspicuously great in Scotland for a thousand years past, that had intermarried with the Blood Royal—she herself was descended from Henry VII. I took care that his late Majesty should be made acquainted with her family and name, to her interest. This was an unhoped-for relief, and moreover gave them a position *being a sort of recognition by the King of their claims.* It is in evidence, I know it to be true; my sister and I have been frequently at Mr. Murray's with them, and were always delighted with the care we observed. No mortal thought of there being false children at that time. I mean in 1750 and 1751. Every person looked on them as the children of Lady Jean Douglas. The Countess of Eglington, Lord Lindores and many others had upon oath declared the same thing. . . . They have indeed proved her straights there, and his imprisonment here, but in every letter the children are named with love and tenderness scarce to be believed, whereas had there been counterfeits, as pretended, they would have been apt to upbraid one another for an act so manifestly tending to involve them in their sufferings."

It must be confessed that at this stage of the case it becomes difficult to control the change of feeling from hostility to a certain sympathy, excited by the almost heroic constancy of this remarkable woman. She is certainly entitled to full credit in her restraint

and devotion as mother and husband, a spectacle really quite unique in the annals of *cause célèbres*. We wonder and admire. How silent—how reserved —how enduring—how patient! But a pitiless logic interferes. These virtues, to have the force of evidence, should surely have been displayed continuously. Yet we find no traces of them in the earlier stages of the plot. The character is completely transformed. We have an entirely new one before us. Both, however, could not be genuine, and are inconsistent with each other, but can be harmonised only by assuming that the last stage was as much a deception as the first. There was the same ability, the same versatility.

Some time after the pension was granted we find her writing to Lord Morton, one of her friends, who was very forward in supplying her with cash. She had previously applied to him for aid, but as he did not reply she did not trouble him again, nor even communicate to him her good news. Nearly six months later he appears to have sent her a supply, when she wrote to excuse her neglect and to tell him of the pension.

"I could not have been so far wanting in duty and gratitude to you, my Lord, as not to have informed you of this long ere now, but that I still expected from post to post an answer to my former letter; being deeply impressed, as I mentioned in my last, that whatever good fortune has befallen me, is entirely owing to your Lordship's great and

uncommon goodness to me, else I should have been out of the way of receiving any, still at Rheims, and there, long before this time, without credit, and in the most deplorable condition. Judge then, my Lord, what my sense of your goodness is, and what my gratitude ought to be: I'm sure my heart is full of it, but I have not words to express the half of what I feel on this occasion. My Lady Irwin, to whom I owe a thousand obligations, and to whom I often speak my sentiment with regard to your Lordship, can better than I am capable, acquaint you with what I cannot find expressions fit to represent to you myself. Her Ladyship, according to her continued favour for me, did me the honour to introduce me last Friday to the King, who was graciously pleased to receive me with peculiar marks of good will and kindness: Lady Irwin, who is acquainted with courts, assured me, that the greatest favourite could not have had a more favourable reception, for which I shall ever retain a lasting gratitude. Next Sunday I am to be introduced by her Ladyship to the Prince and Princess of Wales, and the Friday following to the Duke, and Princess Amelia. Excuse the length of this letter, and do me the justice to believe that I am, with the highest esteem and the greatest regard, my Lord, your Lordship's most grateful and most obedient, &c."

And yet looking to her long, long series of domestic letters, it does seem an extraordinary thing that the decision of so momentous a case should really have

turned on such papers—a number of domestic communications addressed by a wife to her husband. If such a legal principle were admitted, one might think that it would be always easy to prepare such documents in advances couched in the most affectionate terms, full of conjugal devotion and pious sentiments, and to adopt such a strain habitually and in every communication. To these appeal could be made at the proper moment, and it then might indignantly be asked, Was it at all possible that the writer of such documents *could* be guilty of what was charged? Of course this would be the *haute école* of artifice, and though it may seem a somewhat strained and far-fetched theory, it can be shown that there is something to support it. In the first place, we are surprised at the constant recurrence by the wife to the husband and by the husband to the wife to this one topic of patience and to pious resignation to the decrees of Providence. No one would be inclined to speak lightly of so wholesome a disposition of mind ; but it is impossible, when we recall the career of this extraordinary pair, not to have serious doubts as to the sincerity of the utterances. The topic is introduced too persistently and ostentatiously. It was not at all an habitual one with them ; and we have already seen what insincerity there was in Lady Jean's eagerness to live in a country where she could follow the Protestant faith. We may wonder also how it came about that these letters were so carefully preserved when, as the Colonel so often

protested, he never was able to keep his papers, and could never produce any. Nor can it be forgotten in this view that forged letters were to become an important element in "the Cause." But all the time, it seems, she kept carefully the Colonel's letters and he kept hers, and on her demise he took care of both. They were to figure—being printed at length —in the "papers" of "the Cause," where they were lost to the public; but were published in a small volume for general reading. Not less extraordinary too is the absence of a large number which we might have expected to find in the collection—reports of the momentous business that was going on, and had taken her to Scotland—speculations as to the case, all her hopes and fears—to none of which topics there is allusion. She never even mentions the pension matter. There is not a word of her all-important visit to her brother, and of its unhappy issue.

It may be, therefore, that the only conclusion to come to is that these letters were in some degree a portion of the artful game that was being played, and they were contrived to exhibit a parent's devotion to her family, a wife's to her husband, with a piety that seems too ostentatiously displayed—certainly on the side of the Colonel, whom his friends declared to have been a man of lax life and also a freethinker.

Again, it might be that Lady Jean by a long course of acting may have deluded herself into the belief that she had "right" on her side—which a persecuting

enemy was striving to rob her of—that the children though not actually hers, were hers by law and adoption. She had been told by lawyers that long "repute" fortified the claim of parentage; that her harsh treatment by her brother and others warranted her in fighting the battle by every means she could command. She had brought the children up, and she could say with a sort of conscience that they were her own. And she made on several occasions the significant statement which supports the view I have been giving: "Let those who deny them to be hers, prove their case."

Nothing can be more edifying than the general strain of these letters. We find her constantly inculcating on her husband the necessity of being submissive to Divine Providence—to "Almighty God who daily loads us with benefits and spares us to see the return of new years and birthdays." If she announces that "the little men" are well, she always adds, "blessed be God." The Colonel seems at one time to have become regularly serious, and affected an eagerness to read religious works. "The paragraph," she wrote to him, "in some of your late letters, and in this last one particularly, upon religious matters absolutely charm me. Go on, dear Mr. Stewart," she encouraged him, "fix your eyes, your hope, and trust above, and all worldly concerns will soon seem perfectly easy, nay will, in reality, become so; for God never disappoints those that intirely depend on him, nor will he continue to afflict, when we fly to him for

succour, and place our whole happiness in his favour alone; allow me to send you by the bearer a favourite book of mine, Thomas a Kempis; read it, I beg you, in it you'll discover so much heavenly, and even worldly wisdom, that it never fails to please both the spiritual and temporal mind, and to instruct both."

What can be said of such excellent advice, save that it is difficult—impossible—to believe that this case-hardened *vieux routier*, living among the *canaille* of a debtor's prison, should have felt a "call" of the kind?

He also desired to read some charming sermons by Père Chemine, a Jesuit preacher, which she despatched to him with an encouraging homily: "Certain it is, we have many more blessings and benefits that call loudly for our acknowledgments to Almighty God, than cause of complaint. For my own part, after many times considering the situation of all around me, even of those counted the most happy, and upon this reflection, looking home into myself, I find I am possest of more happiness than any I have yet heard of, or can fix my eyes upon, any where abroad; so then, dear Mr. Stewart, learn to be contented, and absolutely resigned to the divine disposer of all things; and then, I can assure you, your mind will obtain perfect quiet and happiness, and, at the same time, be in the more proper and probable way of having your wishes and heart's desire accomplished. This is a long sermon you'll say: I delight in preaching, when I can't forbear it, even when you

desire me to send you Père Chemine, who can so much better exhort and teach: I send him to you with great joy; and your desiring him, though contained in a mighty small volume, gives me infinite satisfaction."

It was about this time that there occurred the death of the young Lord Blantyre, one of Lady Jean's admirers, in the Aix-la-Chapelle days, and also her useful banker. This demise prompted the worthy Colonel to a wonderful homily, in which he moralises on death and resignation to the will of Providence in admirable style.

"Dearest Lady Jean,—As I have had such proofs of your disinterested and grand sentiments, I hope now that hard (and I must think) undeserved fate, has done its worst. I hope the same constancy of mind, with your Christian resignation and philosophy, will support your magnanimity in this trying stroke of all these virtues summed up: my dearest lady, please remember it is no fault to be poor; I would choose to be honourably so, rather than purchase riches at the expence of it. This cloud will soon disperse, we have reason to hope, and will prove but a whet, to make us relish the more, better times when God pleases to send them. I am intirely resigned to his will, and can bear every cross with patience, but being kept from the pleasure and happiness of being with you; and even in that, I am supported by hopes that separation can be of no

long continuance, which I have reason to expect from many different views, any one of which will put an end to the only misfortune I regret, providing you are easy till that happy period."

"My dearest Lady Jean,—Your delicatess this morning was well, and kindly meant, but, if I may say it, somewhat mistaken; for, dear Madam, as I could not but perceive an uncommon concern and grief, with an effort to conceal it, your refusing to tell me the deplorable cause, made me imagine it proceeded from something still more fatal (if any thing can be more so) than even the death of our estimable, and every way valuable Lord Blantyre, in whom our country suffers irreparably, in the most hopeful of our youth, endued with every good and shining quality, without the least tincture of vice. But D. L. J. to what purpose your so excessive grief, that to your friends, and even to his, rather increases than diminishes the misfortune; should it impair the health of one who had so just a value for his uncommon merit? Besides, Madam, you will give me leave to remind you, that it is upon such extraordinary occasions you are to practise the christian resignation due to Providence, which orders every thing for the best. As *far as my poor view can see, he must die, or the world reform, for he was really unfit to live in such an age as ours is;* but I shall not pretend to moralize further (to one knows so much better what the loss is, and how it should be bore) than by this

small word of comfort, he has left no one such behind him that I know of; this reflection should comfort even his afflicted mother, how much more every other distant relation and friend; it does me, who never have felt near so much, but for poor dear Lord Crawfurd; *these two nonpareils are taken away, our best friends, and most valuable acquaintances, (hard strokes!)* But please remember good Providence raises new friends, and though the best are carried away, the dross and dregs which remain flourishes but for a while, to do as much hurt, as the heaven-born geniuses of these departed friends was disposed to do good.

"They shall likewise have a period, and heighten the merit and character of the worthy, by the contrast of their characters, to the immortal honour of the former. So, my dearest Lady Jean, do not give way to immoderate grief on this melancholy occasion."

This and the other letters are written in a style that is quite inconsistent with the Colonel's other productions, which are ill-spelled, ill-composed, and vulgar in thought and wording.

The passage on "these two *nonpareils*" thus snatched from a world too good for them, is matched by that naïve one in which he laments them as "our *best friends and most valuable acquaintances.*" For valuable indeed had been Lord Crawford and the young lord. We can, indeed, hardly think that this and other devotional letters could have been of the

Colonel's own composition. He was likely enough to have been assisted by Baron McGilligot, or some other friend in the prison. All his other letters are ill-spelled and in most indifferent English.

One of these "screeds" of the Colonel was so telling that "D. L. J." wrote to compliment him :—

"*Wednesday Morning.*

"DEAR MR. STEWART,—I have just now read your letter over with great pleasure, and with satisfaction, and am set down to answer it : The whole contents of it are wrote with good sense, sentiment, and judgment ; and that part upon Providence, and the unerring and unsearchable wisdom and goodness of Almighty God, charms me beyond measure ; by which I see plainly the goodness of your heart in religious matters. May these good inclinations ever grow, which are alone capable to make one happy.

"The little men are, I bless God, very happy."

Meanwhile the chief exertion at this period was how to raise money. The pair exerted themselves and reported progress to each other. Thus Lady Jean to him : "I am glad you have some expectation of money from Dr. Sandilands. The £100 I borrowed from a certain lady who loves her money dearly, cost me no small pains and labour ; Nelly was really of great use to me in this matter." But as she had to give her solemn word of honour that she would repay it in six weeks it must have been of little

use. This friend was probably Lady Wallace. Undaunted by failure she would write: "Some other method I hope will bring us relief. Everything practical shall be tried." Sometimes she was very angry with the creditors. She thought Fullerton's demand most extravagant. "I shall tell him that the £600 which he heard we had borrowed has proved sufficient, though at first I was afraid it would not be enough, which made me talk to him of borrowing £400 more. *I would have you talk in the same manner to Wardlaw with whom he is intimate.* I have a view of getting the £400 from Taylor." "Raising money," she would call this method of obtaining relief; but it meant constant borrowing from everybody she came into contact with. No one could be more indefatigable or versatile in the sordid art. The letters are full of little tricks and devices of management. She instructs her husband in the art of preparing the ground, as it were, of working on characters previously, before leading up to the *coup.*

There is something shifty in the story of the provision of 20,000 marks (£1,000) settled on Lady Jean by her brother. She had long ago mortgaged it for "all that it was worth," and more. First to Sir Alexander Ramsay for £500; next she got her friend and law agent, Haldane, to advance £200; next Mr. Robertson, of Rotterdam, was persuaded to lend £200 more—all on the bond. Then a Lieutenant Wemyss, of General Oglethorpe's regiment, was "got round," and advanced £150 on the inexhaustible

fund. Wemyss had no registration or legal form to make his advance secure, and the wily lady wrote, "I hereby oblige myself to make it effectual, as if written on stamped paper with all the forms and proper terms of law."

When the pair were at Rheims in December, 1748, Sir A. Ramsay, the first incumbrancer, who had had no interest for two years, insisted on having his money back, threatening to appeal to the Duke. So the Colonel wrote to his old friend, Archibald Stuart, to propose that he should take Haldane's place in the bond, also advancing £200 for the interest. Stuart good-naturedly agreed. The wily, but unfortunate, Lady Jean fancied that she could propitiate Archibald Stuart, the Duke's man of business, and gain his interest by offering to give up certain papers and securities herself, into the Duke's own hands. This pretext for an interview was refused. She then agreed to give them up to Stuart, whom she later vilified for his treatment of her. Yet he had always behaved to her in a friendly way.

The always friendly Robertson on one occasion was "let in" by the pair. They had drawn on him for Lady Jean's quarter's allowance, which was £150. He discovered, however, that she had already drawn for the same quarter on the banker at Aix, who had drawn on him, "so I can't," he said apologetically, "accept another bill for the same quarter, and should have to suffer them to be returned." The Colonel wrote declaring that he had written "long ere now"

explaining the mistake. He then rather coolly proposed that if Robertson would not accept the bill he hoped that he would at least take it up when it fell due. It seems, however, that he actually drew and cashed the bill on Robertson, telling his bankers that Robertson would be sure to take it up; but this the latter declined to do, on which the Colonel complained that his credit had been injured by him! It turned out, however, that Robertson at the last did take up the bill.

Another instance of an ingenious device of this adroit lady to further her cause. It was given out that Count Douglas, who was serving in the French Army, had written to the Duke of Douglas as to Lady Jean's doings abroad, where he said it was well known that she had contrived the imposture of the children. Lady Jean had been informed of this story and also that it had been put about by her enemies, the Hamiltons. Here she saw an opportunity of serving herself. Sending for a Chevalier Douglas, who worked in her interest, she showed him copies of two letters which the Count had written to the Duke, and which she said had been procured for her by one of the Duke's servants who was in her interest. Recalling the forged La Marr letters—an episode to be dealt with presently—we begin to suspect that here is the beginning of some fresh device, and accordingly find that the Chevalier, after reading over the letters, pointed out to her that they were dated in October and November, whereas Count Douglas had died

in the April before! This would not do, so it was settled that the Count's brother should be appealed to with a suggestion that he should write to the Duke to prove that his brother had never made such charges against herself. He did so, and sent the replies to Lady Jean. The Duke, however, always declared that he had never received any such letters from the deceased Count. The object of this trivial plot was clear enough, viz., to prove to the Duke what calumnies were sent about by the Hamiltons and how triumphantly she could refute them.

CHAPTER X

THE VISIT TO DOUGLAS CASTLE

WE are now arrived at what may be considered one of the most daring *coups* attempted by the pair. Such was their distress that Lady Jean felt matters could go on no longer in this uncertain state. She now formed the bold plan of going in person to Scotland, taking the two children with her; then repair to Douglas Castle, present herself to her brother, and persuade or compel him to a reconciliation. This was characteristic of the daring lady and of her extraordinary courage and energy. Once admitted, she trusted to her cleverness and persuasive tongue to convince him of the truth of her claims. But the point at once occurred, "What kind of proof could she present to him?" Tears, assurances, protestations, would be of no effect. Of the ordinary ones, papers, certificates, and the like, she had none. Would not, however, a series of letters—important ones—from the French accoucheur, who had attended her and brought the children into the world, deposing to his share in the business—effectually serve?

Such would be convincing enough in a hurried interview, so far as they went. But where were such? Actually in Lady Jean's pocket! The Colonel supplied them, not from his store of papers carefully preserved, but by the simple process of having them written—that is to say, forged! This he was compelled to admit later on.

Sir John's own story is, that when Lady Jean arrived in Scotland she wrote to him to send her down certain four original letters written to them by the accoucheur who had attended her in Paris. As these would be the most important evidence she could offer, we might have imagined she would naturally have taken them with her. He said that he had given them out to be *copied*, or that *he had sent her the originals*—he could not be sure. From this extraordinary uncertainty we can see that he wished to leave it open that they were either copies or originals, whichever would be most convenient to his case. If they were called forgeries, they were copies; if accepted they were originals. That they were *not* copies, but unuttered forgeries, is clear from an inspection of the facsimiles. They seem to me to have been written or copied by a Frenchman, for the handwriting is very French.[1]

[1] Sir John said "that he ordered the copyist, Mr. Clinton, to make his copies *as like the originals as possible*." They were also folded like real letters, but had not gone through the post, and seals were attached. He supposes, therefore, that he folded, directed, and sealed them in this way "to leave them as like the originals as

I think all this, with the clumsy explanations, is enough to taint the whole business. Beyond a doubt, if the Duke had consented to see his sister, she would have produced them to him and have appealed to the seals, foldings, &c., as proofs of authenticity.

One of her friends, Mrs. Menzies, a person with whom she had stayed in Edinburgh before setting out on her critical visit to the Duke of Douglas, pressed her earnestly to take the sensible course of sending over to France for the depositions of the physician who had attended her ; also for those of her landlady and the servants, and these would certainly convince the Duke. On which Lady Jean said that "this would be doubting her *honour*." The other answered that she should not mind that for the sake of her children. She might get a friend, Lord —— to write over to France and the depositions might be left in his possession till wanted, "which would set malice itself at defiance to hurt her children when her Ladyship and the Duke were under ground." Then this significant incident followed. Having no answer to these arguments, Lady Jean could not resist putting

possible." He thought too that Lady Jean may have desired this to be done "*to render them more satisfying to the person to whom she was to show them*." As one of the judges pointed out, there were no postmarks, and the recipient explained that one at least had been brought over by hand. They were therefore *copies*, and the supposed original was brought by hand, to account for the absence of the foreign postmark. How consistent with imposture is all this ! And, after all, the copyist, Mr. Clinton, denied that he had copied any letters !

her hand in her pocket and saying "she *had a sufficient evidence there.*" And on the other's asking what it was, she said "it was a letter from the doctor."[1]

What further makes her complicity clearer in the matter is a passage in her letter to Mrs. Hamilton, wife of the minister at Douglas, dated December 8, 1752: "If any has represented me in a bad light to my brother, it is hard; he won't permit me to clear myself, which I could easily do, would he but allow me to be so happy as to see him *or to read my letters.*"

In this matter of these forged letters no less a personage than M. Diderot, the famous philosopher, was examined as to the character of the French in which they were written. He declared solemnly that they could have been the work of no Frenchman, but were written by some Englishman trying to write French. This he proved by pointing out passages which were mere English forms attempted to be made French. This seems conclusive from such a judge. He instanced "letter" for "lettre," "ma silence plus longue" which should be "mon silence plus long." He particularly noted the grotesque French word "perswader" where, as he said, the "w" is wholly English. This word betrays the Colonel who often used it in letters of his own.

[1] Another curious bit of circumstantial evidence served to connect Lady Jean with the forgeries. One of her letters was found to be written on a peculiar sort of glazed French paper, and it was discovered that the four forged ones were on exactly the same paper.

She announced her arrival in Edinburgh—or "in town," as she called it—to the Colonel:—

"Dear Mr. Stewart,—I am now in my own country once more, and, blessed be God, arrived there in perfect safety, and in perfect good health; the children too are mighty well, and in great good spirits, delighted with everything they see; and the people, as we came along, and here, seem, in indulgence to me, to be highly delighted with them.

"We came to town yesterday the 17th, so that our journey was not a tedious one, and was a very agreeable one in all respects, only the want of you was a painful circumstance, and could not fail to give me abundance of uneasy thoughts; but I assure you, dear Mr. Stewart, I don't indulge them, on the contrary, I banish them from me, and good reason I have to do so, since I am confident that every thing will come out very happily for you and I, if we but trust and resign ourselves intirely to the will and pleasure of Almighty God."

Here we now find her with her family living in comparative comfort, riding for her health's sake and seeing her many friends. At this stage, however, we find that she is still impecunious, striving here and there to raise a loan. She was enjoying her pension of £300 a year and yet was without a shilling. Nothing is more amusing, indeed, than her confidence in reckoning on certain friends and new acquaintances—with reference to their being likely to furnish cash. An odd change is to be noted at this time

in her letters to the Colonel. She now tells him repeatedly, and without ceremony, that she has no money and cannot send him any. "It grieves me that it is not in my power to assist you." Nay, she is now most interested in *his* raising money. "I am grieved beyond expression that it is not in my power to raise any money, but if you can at present get a supply sufficient to bring you down and to free my things lying out; I think I shall be able in a very few months to raise a little money and by that means make you a return." Here was rather a cold douche for the expectant Colonel.

In January, 1753, we find her at Hope Park, near Edinburgh, and though such great issues were depending at the time, she writes to her friends in a tone of pleasant gaiety. "The town is mighty gay, I am told. But I can give no account of its entertainments, going to none of them, save to one assembly several weeks on King George's birthday. I thought it my duty to appear on that occasion, to testify my regard and gratitude to my Royal benefactor. If I could expect to see my dearest Lady Mary in Edinburgh while I remain here, it would give me inexpressible satisfaction." "My stay here is uncertain"—meaning she was stirring herself, cultivating her friends, to whom she would exhibit her children. When she was in Edinburgh she went to see a shrewd old Scotch lady—Lady Stair—bringing the two boys with her. Miss Peggy Primrose, Lady Stair's daughter, was present; and

Lady Jean brought her mother mysteriously out of the room to tell her—what she knew well enough already—that there were stories about as to the boys being spurious. Lady Stair repeated to her daughter all that passed; how she had answered "that she thought Lady Jean had acted ill in not coming home to lie in." "She durst not," Lady Jean said, "for she was so sick at sea that her life would be endangered." Then she told her this story, that she intended to have lain in at Rheims, but that the morning after she arrived a lady forced her way in, as she lay in bed, and implored her to get away from the place, at once, or it would be fatal to her: her life would be sacrificed; as there was no one in the place capable of attending her. On which she hurriedly set off that very day with Hewit for Paris. On which Lady Stair said that no doubt Paris was never without plenty of British people of credit, who ought to have been present at her labour, as, considering her age, and the enemies she had about her brother, *her labour should have been in a Royal manner.*" A shrewd and sensible speech. But the ready Lady Jean had answer, "*That* was not in her power, for she had not been an hour and a half in Paris before she was delivered." Which, as we have seen, was an untrue statement.

On another occasion Hewit was at Lady Mary Hamilton's house where there were the daughters of Lord Cranstoun, who had asked her eagerly about her affair, when she told them that she had not

witnessed the birth, that she had been left behind on the road, &c., with other things all contrary to what she swore later.

As the time went on our Colonel got rather weary of his imprisonment, and formed a scheme of escaping and joining his lady in Scotland. This breaking of his parole seemed but a mad business to his lady, who wrote in the most earnest way to dissuade him; but he actually did escape and was now lying concealed in London! She implored him to go back and wait till he could "take the benefit of the act." If he came down to Scotland all would be undone, for her debts were great and "some *villainous people* I am owing to, will lay you up. They were lying in wait to practise everything that the law will authorise and all that *their own cruel disposition* will prompt them to." They were, in fact, creditors. "Were you but to know," she adds, "the summons, the arrestments, the whole artillery, &c., and how it has been played off on me here you would not think of coming to such a place."

It might be said that in the shrewd old Scotch lady's objection as to the delivery not being carried out "in a Royal manner" was to be found the whole *crux* of the case, and a difficulty which no ingenious pleading could get over. A woman whose children were to be heirs to a brother with whom she was at variance would not only have the extremest publicity for the birth and an almost "Royal delivery," but would have had it take place almost at her brother's

gate. On the other hand, a conspirator would contrive that the affair should be as secret and as confused as possible. The first course was obviously the interest of the persons concerned, as was the last of a plotter or impostor.

Arising out of this part of the case was the amusing encounter which Bozzy had with a lady—the Hon. "Peggy" Primrose, whom he treated as roughly as he had done Mrs. Piozzi and Mrs. Montagu. For so gallant a man this seems unbecoming. The lady had reported what she had been told by her mother the Countess of Stair relative to the conversation with Lady Jean—whom she had reproached for not having "the Royal delivery," and also for neglecting to secure the best possible evidence. Bozzy declared that there were a number of persons of good character now alive who had heard Lady Stair assure Miss Primrose that she was mistaken, and that she had never said anything of the kind to Lady Jean. A not very becoming discussion arose between the pair,[1] Bozzy indulging in sneers and some rough raillery at the expense of "Miss Peggy Primrose" as he would call her. He told her that her story was "impossible, and hoped that upon one recollection, *Mrs. Primrose will be satisfied that either her hearing or her memory has failed her here.*"

Through all these stages one cannot sufficiently

[1] See the *Scots' Magazine*, where there is to be found much curious information about "the Cause." Also the author's "Life of Boswell."

admire the unflinching courage of this extraordinary woman—her never-flagging resource; her reckless disregard of exertion; her long weary travels, in spite of frail health. It was wonderful, too, now being utterly destitute, she contrived to find funds for her purposes: but she possessed a store of winning arts, and was able to excite the sympathy of those from whom she desired to extract cash. She had now to nerve herself for a serious task—to confront her long-estranged brother in his stronghold; and for this purpose had brought the two children from London to Edinburgh, and thence to his castle.

The incidents connected with the visit to her brother, the implacable Duke, are truly sad and despairing. It proved to be her last cast. She attempted it in defiance of the good Hamilton's advice, who told her it would do more harm than good. "Those she called her best friends did not know him (the Duke) as well as he did:" to which she answered, "I thought I had known my brother as well as anybody; *but it seems he is to know every day.*" "So he is," said the other. And a very true thing it was.

Greenshields, one of the Duke's servants very friendly to her, witnessed the arrival of Lady Jean and her children at the Castle. His account of the scene is pathetic. "She looked in at the little gate as I was passing through the Court. She called, and I went to her, when she told me she was come to wait on the Duke with her children. I proposed to open

the gate and carry in her Ladyship, but she said she would not go in till I acquainted his Grace. I accordingly went to the Duke and told him my message, at which he seemed a little surprised, and stood some time thoughtful, and then, without the least reflection against her, said he had no room to put them in, and asked me where he could lodge them. I answered there was room enough; but he desired me to call Stockbrigg to speak with him; and when Stockie came the Duke and him conversed a little together by themselves. Then Stockie left the Duke, came to me, and ordered me to tell Lady Jean that she could get no access there."[1] "After they had gone the Duke asked me if I had seen the children. I told him that I had them both in my arms, that the eldest was black, and the youngest—Sholto—as like Lady Jean as ever child was like the mother."

Here was a dramatic passage—the wretched mother peeping through the bars, then waiting with an anxious, palpitating heart while the matter of her admission was discussed within. It is evident the Duke was a good-hearted man, and had an affection for his sister, as is shown by his later behaviour; but he was in the hands of schemers.

Thus turned from her brother's door, she sat down and wrote him this final appeal:—

"Dear Brother,—I came down from London on

[1] Another story was that Stockbrigg actually locked up the Duke and Greenshields until Lady Jean had gone away.

purpose to wait upon and pay my dutiful respects to you, which I wrote and acquainted your Grace with on my first arrival in Edinburgh. I was not honoured with any answer. Notwithstanding, I resolved to make offer of a visit to your Grace, but was detained by various people industriously bringing it to my ears that such an attempt would incur your displeasure, and give you a great deal of uneasiness. Upon which I, with much regret, laid aside what above all things I wished, and was ambitious to have performed. But now that I am under a necessity to go into England, to look out a cheap place to live in, I could not think of leaving this country without making an effort to see you once more before I die, to vindicate the cruel, false aspersions that my enemies—wicked, designing people—have as unjustly, as cruelly, spoke against, and which I am informed have reached your ears, and that your Grace gives credit to them, the thoughts of which pierce my heart, and gives me inexpressible anguish. What then must my sorrow be, and what an additional torment do I feel, when in your house with my children, come to throw ourselves at your feet, we are debarred from your presence! Recall that cruel sentence, I beseech you, if you don't intend to render me all my life miserable, and to shorten it, too, which must be the case; for it is impossible to live any time with a load of such exquisite grief as mine is. All I beg is to be permitted *to speak but a few moments to your Grace, and if I don't, to your own conviction, clear up my injured innocence, inflict*

what punishment you please upon me. I shall receive it willingly, and shall think I deserve your utmost rigour, *if I cannot justify myself from all that is basely and falsely laid to my charge.* In hopes that your Grace will, with great goodness and humanity, allow this my petition to take place in your heart, and you will call me back again, I shall remain this day, the following night, in Douglas town. The children —poor babies!—have never yet done any fault. May I not plead for them to be admitted and allowed to see you, and kiss your hands? The youngest—Sholto —is thought to resemble you much when you were a child; and Archie is thought by a great many to have the honour too of resembling you much when you became a man."

A pathetic, despairing appeal indeed, yet she had with her those admittedly forged papers, on which she relied for producing "conviction" in the mind of the Duke.

Her faithful friend, Hamilton—the clergyman, of Douglas—described how, after her repulse from the Castle, she read to him the letter she had written to her brother, and he declared that he said to her that "it was the most moving that ever he had heard, and that all the tragedies that ever he had read or saw acted never moved him so much, and that it forced tears from his eyes. But he told her he feared that it would never move the Duke, and he was surprised that she should have offered a visit after the advice

he presumed to give her at London, unless she had been invited by the Duke, or some person from him, to come to the Castle with her children." To this quaint English we must add the pronunciation as quaint; "invaited by some pairson," &c. But she replied that she was advised to this course by her best friends in Edinburgh saying that "this was her last effort, and they could not imagine the Duke could be so cruel as to shut his own sister out."

After this repulse a fresh blow was to fall upon her. She had left her children at Edinburgh for a short time, and made a fresh and weary journey back to town to look after her helpless mate, when news reached her that her son Sholto had died after a short illness. This stroke was overwhelming, besides being a serious check to her plans, for all rested now on the precarious life of the remaining child. Her grief was excessive and truly sincere. She, no doubt, had grown to love the children which she had brought up, and this loss contributed to her own illness and death, which was speedily to follow.

As we have seen, Lady Jean's letters to her husband that have been preserved, are of a natural and touching character, spread over a course of years, proving that she was a devotedly affectionate wife and mother, that her whole heart was in her children, that she was patient and enduring, and even heroic through a long course of sufferings and privations. But no one has done her such merited justice in this view as Lord Mansfield, who in his eloquent, all but burning words,

vindicated the hapless lady, and carried her cause for her though she was then lying in the grave.

He and her partisans again and again urged such pleas for her as these : " Is it possible to imagine that a woman of such a family, of such high honour, and who had a real sense of her own dignity, could be so base as to impose false children upon the world? Would she have owned them on every occasion? Was ever mother so affected for the death of a child than she was for that of Sholto, the younger of her sons? 'Will you,' said she, 'indulge me to speak of my son?' And cried out, with great vehemence, 'O Sholto! Sholto! my son Sholto!' and she thanked God her son Archie was alive. One of the servants declared that her grief upon the loss of her child grew upon her day by day. Would she have blessed her surviving child on her deathbed? Would she have died with a lie in her mouth and perjury in her right hand? Can you suppose that two people who had not wherewith to support themselves would be solicitous, and show all the tenderness of parents towards the children of creatures who had sold their offspring to people whom they did not so much as know by their name?" Thus Lord Mansfield.

CHAPTER XI

DEATH OF LADY JEAN

BUT now the weary, storm-beaten course of the unfortunate lady was to come to a close. She could struggle no longer against constant defeat and disappointments. The loss of Sholto, the second boy, was said to have broken her heart; at least, she did not long survive him. She was in London when the event occurred, but immediately set out again for Scotland. She was ill at the time, and arrived at Edinburgh about August, 1752, to join her surviving son at a house in the Cross Causeway. Here her maladies increased, and she was presently at the point of death.

Her behaviour at this crisis was astonishingly consistent with what she had been so long carrying out. It was the last card, and she did not shrink from playing it boldly, and even heroically. To this credit, for it of course makes for the credibility of her claim, she is fully entitled.

Douglas of Edrington, who saw Lady Jean in those days, gives a rather pathetic account of the

unfortunate lady during the closing scenes. "Two days before her death he went to wait upon her, when she presented her son to him, calling him her dear son Archie." Next day he went to dine with her, and after dinner, "she turned serious, and told him that she knew she was dying, and expressed no concern for her approaching death, but seemed to be greatly afflicted at what would become of her dear son Archie when she was gone. She fell a-crying, on which, a little after, he left her, not being able to stand it longer."

A Mrs. Macrabie came to see her, and was introduced by the landlord and Mrs. Hewit, who then retired and shut the door. Lady Jean was in great distress. "Will you not indulge me to speak of my son?" and cried out with great vehemence, "O Sholto! Sholto! my son Sholto!" then thanked God that her other son was alive. "What would the enemies of me and my children say if they saw me lying in the dust of death on account of the death of my son Sholto? *Would they have any stronger proof of their being* my children than my dying for them?" For she was persuaded that she was a dying woman, and would never recover the shock. She then added that "*she was one who was soon to appear in the presence of Almighty God, to whom she must answer*," and declared that "*the two children were born of her body.*" No doubt stress can be laid on this solemn appeal, which it may be admitted that the most hardened criminals have shrunk from making. But

Lady Jean was a unique character, and seemed determined to "go through" with the business to the last. Of course there was much real grief for the child whom she had brought up, and on whom so much rested, just as nurses become thus attached to their foster-children.

The attachment of the servants to her when she was in this strait was very strong: all gave her the highest and most genuine praises. To the last she showed the most intrepid courage. Till within a day or two of her death she dressed as she did when in health, though she was then "very weakly, sick, and thought a-dying." She would not keep her bed during the daytime, and even on the night before her death would not go to bed before eleven or twelve o'clock. When she was in bed she pressed Mrs. Hewit to go away and take her supper, and declared that if she did not she would get up again. Then they thought she had begun to rave. Every moment she was calling her son Archie to her to take leave of him, for she did not expect to see the morning. She took the Sacrament eleven days before her death, and after that never again went abroad.

Her faithful attendant was Janet Andrew—one of the old retainers in the days of her mother, the Marchioness, about the year 1733. She gives a simple, touching account of her mistress's last moments. Tiby Walker, another retainer, ever faithful as Callum Beg, lay on the floor upon a shake-down. On Mrs. Hewit coming in about eight

in the morning, Tiby Walker "said she had spoke none that night." Upon which they opened the curtains.

In her last talks with the servants she would refer to "the *stories* that had been talked about her, that he was not her son," &c. They would then ask her had she done anything to prove her case, to which she answered, "that was an unprecedented thing; that *if anybody doubted of it, it was their business to prove that he was an impostor, which she knew was impossible, for Mr. Stewart owned the child as his and knew it, and God knew the child was hers as well as she herself did.*

These words, save perhaps a couple, seem ambiguous, and may have two senses. That the business of those who doubted was to prove their case, while she was not to move in the matter, was the lawyers' view. "It was impossible to prove the child an impostor, *for* Mr. Stewart owned the child;" here was the same argument. The knowledge of the Almighty was made contingent on her own. That Colonel Stewart knew it is more positive, but it is like throwing the burden on him.

When her son was brought to her, putting her hand upon his head, she said solemnly, "May God bless you, my dear son, and above all make you a worthy and an honest man; for riches I despise them. Take a sword, and you may one day become as great a hero as some of your ancestors."

To the last she persisted in abstaining from enter-

ing on any particulars whatever. "Let *them* prove it," was still her cry. She despised all the stories against her. Here it might be urged, Where was all the affection she insisted on, when, instead of furnishing the necessary proofs, that were essential, she took refuge in its being a question affecting her dignity and feelings? Mrs. Jean Greig, who also attended her deathbed, said that after her talk with Lady Jean, and just before she died the latter said, "I leave him to God. I am sure that His good Providence will take care of him." This, however, was general enough. "And God knew that the child was hers," but she added, "*as well as she herself did.*" If the word "legally" be inserted in this passage, we can clearly follow the reserve that was in her thoughts. And, apart from such qualifications, we may note the ambiguity of "God knew the child was hers, as well as she herself did."

So the weary struggle was ended for her. She must have died thinking her cause was at the worst, and that the chances for the future were hopeless.

When news of the death of Lady Jean was conveyed to the Duke he was told that she had died in poverty, and could not be buried without his aid. At first he refused any, but on being pressed consented, stipulating that she should be interred in the Abbey with her mother, and that it should be done "in the decentest, but, at the same time, in the

most frugal way." "But remember this," said the Duke to the applicant, "if Archibald Stuart or Lord Haining *suffer that boy* to be present, it will be the last thing they shall do for him." When Sholto died previously a similar application was made, on which the Duke said "he had nothing to do with him, and that he wished both the brothers were dead, as they were not his sister's children." The boy tried to get into the carriage to attend the funeral, but was dragged away, according to the Duke's orders.

In November, 1753, Dr. Eccles, "an ingenious physician," wrote from Edinburgh to Colonel Stewart the melancholy news of his lady's death :—

"Sir,—With very great grief and concern I take this opportunity to inform you, that Lady Jean Douglas Stewart died this day at noon (on November 22, 1753), very much emaciated and decayed. She bore her sickness with Christian patience and resignation, accompanied with that remarkable sweetness of temper, and affable behaviour, so natural to her.

"Your son is a very fine child, is thriving and healthy. I pray God may preserve him. Poor Mrs. Hewit is very much distressed and grieved.—God support you under this heavy affliction."

On November 24th Colville, the baker and also macer of the Court, wrote :—

"Sir,—I am obliged to write you this melancholy letter, with the deepest grief and concern imaginable, for the death of that dear angel, Lady Jean, who departed this life the 22nd instant, at twelve o'clock forenoon. Poor Mrs. Hewit is in the greatest affliction that can be; she is neither capable of writing nor speaking to any body, only begs of you, for dear Archy's sake and hers, you'll take care of your own health and preservation. She feels your distress in the most tender way; but all the comfort she can give you is, that while dear Lady Jean was alive, nothing was wanting that either gave her ease or satisfaction; no body durst venture to write you the situation she was in; she absolutely discharged it. There is an express gone away to the Duke to see what he will do; however, whether he will do or not, every thing shall be done about her like herself. Mrs. Hewit has had credit all along to support her, and still will do what is necessary; therefore, she begs you'll let nothing of that trouble you; and when all is over, and she gets herself composed, she will give you a full account. Poor woman, she is left at present with a few shillings in her pocket; but her only lamentation and cry is for you.

"The poor dear child is at present very well, and she has just given orders for his mournings."

From Mr. Gustard the clergyman :—

"Edinburgh, *Nov.* 24, 1753.

"Sir,—I wou'd been sorry to have been the first

to give you the melancholy news of your worthy Lady's death. I know you have been prepared to hear it.

"You were amongst the happiest of men, to be matched with such a one, not only for her quality but qualifications: she excelled the most of her sex. But as she's gone and shines no more in this world, good reason we have to hope, she has made a happy change, where all sorrow and sighing fly away. She bore her affliction with great patience and resignation to the holy disposing will of God. She had her noble spirit till near her very last.

"Mrs. Hewit, a friend indeed, will, no doubt, give you a particular account afterwards of her sickness, and manner of dying. I pity you, Sir, and your child, under such a loss and shocking trial. But this is the doing of the Lord; therefore we ought to be dumb, not opening our mouth, because He did it. God is righteous in all His doings, but we have sinned and deserve the worst we can meet with."

CHAPTER XII

DEATH OF LADY JEAN

YET one of the most wonderful things in this truly wonderful cause is that the death of the adventurous woman, which appeared to destroy its remaining chances, was actually the cause of the final triumphant success. She was to die that her child might win. The forlorn condition of the boy raised up friends for him; his case was destined to become "a cause," like that of the Jacobites, while the supposed father—always a damaging element—was altogether set aside. Lady Shaw, or Schaw, an invalid lady of fortune, who took a deep interest in the young "Archie," now undertook the whole charge of him and of his case; for the fate of Lady Jean seemed piteous enough, and her dying assurances had left a deep impression. Presently the Duke of Queensberry, another Douglas, with Lord Cathcart, began to interest themselves.

It occurred, however, to Lady Shaw and her friends, and it was an obvious and sensible notion, that mere *faith* in the young Archie's claim was

"KITTY," DUCHESS OF QUEENSBERRY.

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hardly sufficient to support them, and that regular and serious search should at once be made for evidence. Colonel Stewart was the natural person to be first applied to; and the obligation he was under to Lady Shaw for the support of his son entitled her to question him in the interests of that son, and to receive replies. This was a highly embarrassing situation for the baronet, for he would be compelled, to some extent, to raise the veil; if he refused to do so suspicion would be excited.

The widower went to live in the Isle of Man on a small allowance. In November, 1759, his brother died, when he succeeded to the baronetcy and an improved fortune. With his usual recklessness he insisted on making a handsome settlement on his child, which, however, must have been of a phantom kind. Another folly was his marriage—for the third time—which took place in September, 1761, and we may wonder how a daughter of Lord Elibank could have accepted such a suitor. She was to reach the age of ninety-four, dying in 1809. There is evidence of his situation in a piteous letter which he wrote to his son in March, 1759:—

"How unhappy my present situation is, and how that I may for a trifling sum be brought from a greater difficulty than I can bring myself to name to so affectionate a son, not only into opulence and affluence, &c. But, my dear creature, there is no looking back: all may be recovered, and more than recovered, if I can have but £150 sent me soon."

Mrs. Napier, a friend of Lady Shaw's, went specially to see him and to question him closely, and the Colonel, in his desperation, could only furnish the most confused and contradictory information. He was asked the simple question *where the birth had taken place*, and under what circumstances, but he could tell little or nothing.

The description given by Mrs. Napier of her talk with him is highly characteristic of the man. She told him of the reports that were about, and with due apologies mentioned that it was believed by many that two foreign children had been brought over "to serve some purpose of their own," and she hoped he would excuse her for being desirous to have this affair put in as clear a light as possible for the sake of the then only remaining child, as well as for Lady Jean's memory. She then proceeded to put her questions as to where the children were born, in what house, and who was present—simple matters that any parent could answer offhand; but his answer, a strange and halting one, was: "So many years had passed, and so many misfortunes had happened to him, some of which he enumerated, that he could not be so distinct in names as he could wish." She answered that "she could not understand how that could be, seeing the business had occurred only ten or eleven years before." He explained that for different reasons they had been obliged to change houses often during the time of Lady Jean's lying-in, because one was "full of bugges, and another smoking, *so that he*

could not say which precise house the children were born in"(!). Here was a plain declaration, incredible in the case of any parent, who, no matter what the changes were, must certainly have recalled the house in which his wife was ill for a number of days, and where she had brought his two children into the world. Perhaps he felt that he had committed himself here, for he added that "he would consider of it at home and make a note of all these circumstances."

The shrewd lady was not to be thus put off, and further pressed him on the spot. She would be glad if, meanwhile, he would there and then set down such things as he was sure of, and let her have the others when more at leisure. She then put pen and ink before him. Thus driven into a corner, he was obliged to furnish something. It was the first time he had been asked for details. The birth was, of course, in Paris, at some house. But then where was he to place it? He had then clearly not made up his story. He first tried to cloud the matter by saying that Lady Jean was in such an indigent state that she did not use her own name, but passed as Mrs. Stewart; but at last he added this statement :—

"Chez Madam Michelle, Faubourg St. Germain a Paris dans le moy de juillet ver le commencement du Moy, 1748, M. et Madame Stewart logerent ou Madame Stewart accoucha jumeaux. Presente : Mdm. et sa fille M. la Mar, accouheur,—Marie et Mdme.

Huett. This memorandum given to Mrs. Napier the 13th May, 1756, by Jo. Stewart."

It looks as if, though, he wished to pass this off as an original contemporary paper or certificate, made perhaps by La Marr himself—certainly by some Frenchman, as is shown by making Hewit *Huett*, a clumsy device. When he got home, he sent her the following :—

"In the month of July, 1748, near the beginning, Mr. and Mrs. Stewart *lodged with Madame Michele in the Faubourg St. Germain* at Paris, where she gave birth to twins, the hostess and her daughter being present, with M. La Marr, the accoucheur, and Mrs. Hewit. The Doctor provided nurses for the children ; that of the eldest was so bad that they had to change her. The youngest was exceedingly delicate, all of which occasioned correspondence between him and La Marr."

This was all that was got from him at that time. It will be noted Michele's Inn was distinctly affirmed to be the house, and that the hostess and her daughter Marie were witnesses of the event. He had therefore so far recovered his memory wonderfully. We should note his caution in making indistinct the different points of the date ; he could not recall the notorious July 10th, afterwards settled on as the day ; it was near the beginning of the month.

Bound up as Mrs. Napier was with the interests of Archie, this interview had evidently somewhat shaken her, as she wrote to a friend :—

"Little Archie seems blessed with dispositions so amiable and good as to render him worthy of the fortunes he may one day possess, *were this matter made clear*. At the same time we must not talk too much of attempting it, *lest a failure in success make things less clear than they now are*."

This interview took place on May 13, 1756, but the lady's account is dated nearly two months later.

Meanwhile Sir John was turning the matter over, and no doubt saw what a mistake he had committed in naming Michele's Inn. When she met him again he was better prepared. The lady took down in writing some heads of his information :—

"From Aix-la-Chapelle to Liège, to Sedan, to Rhetelle, to Reims, where we feared a miscarriage ; to Paris in a stage coach ; Lady Jean brought to bed of two boys, July 10th, in *Madame Labrune's house, Faubourg St. Germain*. The 20th removed from that buggey house to Madame Michele's ; then went to Daumartin for fresh air, where Lady Jean recovered health and strength and so returned to Reims in Champagne, where Lady Jean had a miscarriage, and in about fourteen months after came to London. N.B.—Lady Jean in her Paris expedition took no other designation than Madame Stewart, from the poverty we were in at the time."

Here is an unexpected abundance of details—stages

of the travel all in correct order. "That buggey house" is a good touch, but some excuse had to be furnished, and Madame Labrune is introduced for the first time. But the *locus in quo* is changed. Mrs. Napier later said that Colonel Fountain's name had been mentioned by Sir John as having introduced him to La Marr, but there is no mention of him in this note. In July letters were written to Paris in consequence of these meagre scraps of information, to Sir James and Lady Frances Stuart, friends of the Colonel, who had promised to make all inquiries, provided any leading facts were furnished to them. Sir James was struck with the confused character of the first memo. "You see how indistinct this note is; no mention of the street or the hotel. However, an accoucheur may be found out." With this view Mr. Gordon, Principal of the Scots College at Paris, was written to. He had some inquiries promptly made. The letter to him was dated July 20th, and his answer August 17th. As to La Marr, the accoucheur, he could find nobody who ever knew such a person, "though I have inquired *at* several of that trade." Madame Michelle had been discovered. Her hotel was that of d'Anjou in the Rue Serpente, "but her information is by no means satisfactory, *not to say quite opposite to your information.*" We should note here—for it is a crucial point—how Mr. Gordon's depreciatory report as to Michelle's Inn is supported by the Colonel's discarding it as the scene of the event and his substituting Lebrune's house. The

landlady described how Madame Stewart kept her bed on account of having lately been confined, she believed, *somewhere near Versailles*. She had a nurse not then to be found, but who she believed was about Madame de Pompadour; "if so I may chance to get some information." All which was opposed to the first story. But the fact is, so hopeless, indeed, had become his statements and falsehoods, that he at last came to be accepted as a sort of privileged story-teller and a regular Ferdinand Pinto.

In conversations with Mrs. Napier he began to recall the name of the accoucheur—Pier la Marr—from whom he said he had received numbers of letters—in particular one letter about one of the children who was under his care. "He thinks, but is not sure, that he (the child) was left there for some time." But La Marr had the child for more than a year. As we have seen, a second child had not been secured at this time, but as it was described as being away from Paris at nurse, it was necessary to give the name of some one who had charge of it. And how strange that an accoucheur practising in Paris should be so accommodating as to accept such an office!

Mrs. Napier, when she heard of the numerous letters from La Marr, like a shrewd woman, saw that here was some good evidence, and said they should be kept carefully, on which the crafty Colonel—"Alas! Madam, I have been an unfortunate man—have been long in a prison, and *all my things tossed about, and do not know how or where:* but I will seek out these

letters and preserve them." But she adds he never brought her any of them.

There is another memo. of his, and in his writing, but which stands by itself and on its own merits. In this he says: "The man midwife's name was M. Pier la Marr—in Madame Lebrune's house, Faubourg St. Germain—Madame Lebrune, her daughter, and Mrs. Helen Huette present with a widow lady who lodged in the same house—a widow lady to whom we were much obliged—Madame la Fever."

In all this there must have been some trick in view, probably to show how weak his memory was—which at the same time was improving wonderfully. Here were no less than five witnesses, with probably a sixth in the person of the Colonel himself.

CHAPTER XIII

"PEGGY DOUGLAS OF MAINS"

AN important change was now to take place, which was to influence in a very extraordinary way the claimant's chances, and, as it proved, actually turned the tide in his favour. This was the appearance on the scene of a very remarkable woman, and of a fine and determined spirit.

The Duke had a cousin, Margaret Douglas, generally known as "Peggy Douglas of Mains," a downright person, uncompromising of speech, and at times violent. She was no longer young, and was noted for her blunt and caustic sayings.

Dr. Carlyle describes a meeting with this lady in 1745, when he joined a party of pleasure composed of the two Miss Woods, with whom was "Peggy Douglas of Mains, a celebrated wit, and a beauty even then in the wane." During the expedition she sent for a clergyman, one Tom Clelland, and began to rally him pretty roughly "on being an old fusty bachelor," and his being much older since she last saw him; on which he retorted that he had the register and could

prove that she was an old maid "in spite of her juvenile airs." "What care I, Tom?" she cried out; "I have sworn to be Duchess of Douglas or never marry." She was then about thirty. Thirteen years later, in 1758, she carried out her fixed purpose of wedding a Duke, by marrying her cousin. Here, indeed, is yet another original character which somehow did not attract the notice of Sir Walter Scott; and one can never cease to regret that he did not deal with this admirable group, nor work into a story this long gallery of figures: Lady Jean, Stockbrigg, the Colonel, and this "Peggy Douglas of Mains," with the strange Duke, and the erratic Duchess of Hamilton—championess of the other side.

The Duke was now sixty-two, an age considered to-day by no means too antique for matrimony, while "Peggy Douglas of Mains," though past her prime, was at hand, an intrepid, "dour" Scotch lady, ever determined to carry through what she had set her mind upon. No doubt the Duke was also impelled to change his condition by his animosity to his sister and her children, and may have nourished a hope that he would have heirs. "She resolved to marry His Grace," says Charles Kirkpatrick Sharpe, "impelled by ambition and a wish to mortify the Hamilton family whom she hated with all the cordiality imaginable, and repairing to a small inn near Douglas Castle, by flattery and pretending to wish for his opinion concerning some law affair, contrived to get access to the Duke, who first sent her a love-token in the shape of

an ancient piece of family plate, and finally married her to the surprise of all Scotland. On being questioned by some of her friends how she dared to wed a madman, she answered that "when she pleased she could be as mad as he"—a retort that the sparkling Beatrice might have made. "She went to the Castle to be married, in a hack chaise, with the clergyman. When they arrived at the Douglas burn it chanced to be in *spait*, and the postboy refused to drive through it, but the lady held a pistol to his head and he proceeded. She was wetted above her knees, and in that pickle was married. She related the story herself, saying she was a very draggled bride." He then adds a statement which can hardly be accepted—"she burnt down Douglas Castle to make the Duke go to Edinburgh." And yet she was so thorough and determined in carrying through her various efforts that the idea is not altogether far-fetched. Lord Shelburne, who was introduced to the pair at Holyrood House, gives a singular account of the Duke's feudal style, and of his consort's intrepidity. The Duke met him at the top of the stairs attended by Lord Dunmore and Home, the author of Douglas. When anything was said about his family he nodded to Mr. Home to narrate what regarded it. The visitor having made some mistake as to a Scotch matter, Home laughed, on which the Duke drew up and vindicated fully what had been said, conveying his disapprobation. Lord Shelburne told him he had seen the new house which he was building, to which

the Duke answered that Lord Northumberland's kitchen was larger than his whole house, upon which the Duchess, an enterprising woman, observed that "if the Douglases were to meet the Percies once more in the field then would the question be, whose kitchen was the largest?" How dramatic was this! On which the Duke nodded to Mr. Home to state some of the great battles in which the Douglases had distinguished themselves. A truly odd scene, in which the pride of this chieftain was shown.

The business had long since languished away; it only wanted the appearance of an energetic woman to "make things hum." Just as the Duchess of Douglas had set her mind on wedding the Duke, and did wed him, so had she now set her mind on taking up the case of Lady Jean's child and making the Duke receive him. That this had been the purpose of her marrying the Duke there can be little doubt; for her efforts began almost with her wedded life. Nor was there anything extraordinary in such strong and chivalrous partisanship of a lost cause, a common thing in Scotland. Even that curious pair, the so-called Count D'Albanie and his brother, who "made up" like Charles I.—these and more all found staunch adherents in that country. Certain it is that from the moment this stout-hearted lady entered Douglas Castle as its mistress, everything was changed, and the tide of ill-fortune turned. Her Duke was determined to reject the lad as an impostor; but she was as determined that he should be received and adopted.

And this, in spite of repulses and extraordinary difficulties she actually carried through. She lived to see the Duke pass away, Sir John Stewart die, everybody save the young claimant, whom she also saw at the moment of his triumph acclaimed by the House of Lords. This triumph there cannot be a doubt he owed altogether to her. She had snatched the victory out of the fire. Without her—for the eccentric Duke of Queensberry, Lady Schaw, and the rest of his patrons were mere *nullities*—the whole would have languished and "dragged on," even if there were sufficient funds. It was her energy, "pushfulness," and animosity to the Hamiltons that formed the motive power of the business.

But almost at once she began her propaganda in favour of the young claimant. At first she was moderate enough, and merely urged that the Duke should at least have inquiries made into the truth of the boy's claim. The Duke in answer to these importunities used to declare that if he could believe that the children were his sisters he would leave them his whole fortune.

In December, 1858, some nine months after the marriage, as we have seen, Douglas Castle was burnt down, and the Duke and his family had to come to Edinburgh to reside at Holyrood. Here he became surrounded by all sorts of persons, many of whom were interested in the case. The Duke was pressed and obsessed, and so persevering were the friends and allies of the claimant that he was at last induced to see and listen to their statements.

Thus, fancying herself secure of her husband's sympathies, the new Duchess was constantly dwelling on the hard case of the boy and the cruelty he was showing to his sister's son. She began to press him more and more until he grew irritated and forbade the subject to be mentioned to him. No doubt this cross-grained being, if left to himself, would have been complacent enough. At Douglas, Hamilton, the clergyman, was witness to some strange scenes between this violent lady and the Duke. About a fortnight before their separation which took place in 1759, the Duke turned on her and asked angrily: "What was she plaguing him about settlements?—that he would make none on the lad." The Duchess said the boy should not be left to starve. He replied, "He would not give him sixpence." On which she said, "I see you will leave all *to that cursed family of Hamilton whom I could never endure.*" "And what are you but the family's factor and the factor's wife?" There was another outrageous scene described by the minister. The Duke was giving a dinner to Lord Shewalton and others when a noise was heard in the next room. They sent the minister to see what it was. He went reluctantly, and found the Duchess lying on her face on the floor, on which he told her that was not a position for one of her quality, and tried, with a Miss Stewart's aid, to raise her, on which she threw herself on her back. He retired to tell the Duke who said a doctor should be fetched. Presently the Duchess sent for the whole party to come to her room, for she had

something to say to them. On which they came. She addressed Lord Shewalton: "I am going to put a question to you, and I charge you, as you shall answer to the great God at the great Day of Judgment, that you shall answer me without fear, or favour." On which he: "Madam, that is a way of speaking I am not acquainted with." She then solemnly asked if he was in the situation of the Duke, would he not give his sister's son his estate? On which he prudently replied that he was not obliged to say what he would do, and if he were to give *his* estate it would be no rule for the Duke. She then turned to the minister and asked his opinion as a divine; but he said he had no estate to give, and held with Lord Shewalton. She said no more, and they left her. But Lord Shewalton remained to chide her for worrying the Duke in this way. In his less excited moments the Duke used to repeat that he would have nothing to do with an impostor. The Duchess said she could not say about that, but that he ought to inquire into it: if he were one she would wish that he should not have a sixpence, and that God forbid that she should harbour an impostor upon the family of Douglas, but that persons should be sent abroad to investigate. The Duke said it was too late now after so many years, on which she said the more it was delayed the more difficult it would become, as the witnesses would die. The Duke said, "Even if he were my sister's son I would not give him sixpence, for his mother used me very ill." The Duchess said

the poor boy had done nothing. And so the wrangle went on.

The worthy Hamilton, the minister, and who was all through Lady Jean's faithful ally, described another strange incident. One morning the Duchess told the Duke that she had had a vision of Lady Jean, who cried aloud to her, "Justice, justice to my innocent child!" The Duke, incredulous, asked her how did she know it was Lady Jean, as she had never known or seen her. She answered that she asked the vision who she was, and she answered that she was Lady Jean Douglas! It came out, however, that only the night before the Duke had promised her that he would do something for the son—a promise he had now gone back of. She reproached him, saying she thought he was a man of honour, but now she found that "that damned villain Sir W. Douglas" had influenced him. The strange dialogue then went on, when the Duke justified himself saying he had not seen Sir William and that he had only made the promise to tranquillise her, as she had threatened to cut her throat with a pruning-knife.

There was yet another scene of the kind, for the Duchess had a fashion of interrogating everybody as to what they would do were her case theirs. One Macmillan, a solicitor, being with the Duke and Duchess, was asked solemnly by this mad lady her usual question, "What would he do if his sister had a child, &c., as he should answer to God were he the Duke of Douglas," &c. The poor attorney begged

to be excused deciding the question, saying if he were the Duke "he wouldn't know what his opinion would be." The Duchess then turning on him told him that "he hadn't honesty and resolution enough to declare his mind," upon which he courageously told her that he had but one sister with two children, she had never disobliged him, and that her son had never offended him, but that if his wife were to tell him he must settle his estate on them he would take it extremely ill." At this speech the Duchess flew into a passion and was "greatly incensed, and scornfully asked him who would he choose for his heirs?" He answered, "Any person whom he should think proper, but while there was a Macmillan in Scotland a stranger should not get his estates." The Duchess then showed her real feelings as to the Hamiltons. The Duke had changed his views, she said, since Colonel Jack Campbell had married the Duchess of Hamilton—thus showing her hatred of the Hamilton family. She next insolently desired he would "get him gone downstairs," and he said he would do so, but would never return till he was sent for. He was sent for next day when all seemed to be forgotten, and they were as before. This was certainly a tremendous woman.

The situation of the luckless Colonel, who was now left without his faithful and capable guide and counsellor, was really pitiable. He was ever a helpless creature, incapable of forming plans, or devising a policy, or of carrying out any scheme whatever. He was so incautious and so rough and hurried in speech

and act that he was certain to injure any case that he took up. But the case of the boy was different. It began to excite general interest and sympathy in Scotland, on the old ground of "blood being thicker than water," so well recognised in Scotland. Various relatives and connections—the Queensberrys, Napiers, Lady Shaw—began to stir, declaring that something must be done for his sister's son—have him bred to the army, &c., for he was then a growing child, and not let him be a burden on Lord Cathcart. Other influential persons supported her view, such as Lord Morton and Sir Walter Douglas. The worried Duke still declared that he would give him nothing and do nothing, yet at other times he declared that he would give him all or nothing, for he would not divide his estate. Mr. Loch, however, a "writer" in Edinburgh, brought him a curious paper in which Lady Jean had told the story of her life before her marriage, and this somehow interested the Duke, who now wished to read her papers, and then began to ask Mr. Loch many questions about her and the two children. This Mr. Loch knew her well, and was in her confidence. On this hint he spoke, and he related to his hearer the distress she had been in at the death of Sholto, her second son, the misery and poverty she was in at her own death, and the neglect she had met with from her friends. It was the sister of the Duchess, Mrs. Hepburn, who was present at this scene and reported it; she told pathetically enough how after Loch went away the Duke told her "he

could sleep none" on account of his sister's distress. He added, after reading of the paper, that she had certainly been the most injured woman in the world, but that all she had suffered in her life did not so much affect him as what she had suffered in her death. "He pressed his breast with his hand, repeating some of the expressions Mr. Loch had used to him and said his sister had been neglected not only before her death but after it. He was much affected and cried, and accused himself for his unkindness to her." This scene took place before the separation from the Duchess, and shows that he was a good-hearted man who only needed management.

This Loch had helped Lady Jean, and the Duke desired that he should be repaid in some way, offering him pictures, &c. On which he said Lady Jean did owe him something, but not much; that he did not mean to ask it, but that if his Grace would allow him to bring into his presence Lady Jean's son, it was all the favour he would ask or expect. The Duke turned to the Duchess, who was present, and asked her "What did she say to that?" To which she replied she would take his commands. There was a good deal of talk then as to Lady Jean and her children. The persevering Loch came next day with the young fellow, and though told that both were in bed in their own rooms, kept pressing to be allowed to bring in the young fellow to the Duke. The Duchess's sister, Mrs. Hepburn, then came, and gave the boy a packet of sweeties, but said he must go away for that day,

but that Loch might return to dinner. The Colonel was at Mrs. Hewit's lodging waiting, we may suppose, the result of this wild attack. This was before the Duke and Duchess separated.

CHAPTER XIV

DEATH OF THE DUKE OF DOUGLAS

THERE there were two parties in the household, each pressing on the unhappy Duke ; Stockbrigg was devoted to the interest of the Hamiltons and perpetually urging his patron to settle the estates on them. He displayed a ceaseless hostility to Lady Jean, and it was certainly owing to his exertions that she had failed to establish herself and her family in her brother's favour, and the Duke so long hesitated. At last these constant disputes became so harassing as to be intolerable to the Duke, and the public was astonished to learn that the newly-married pair were separated. It was arranged in regular legal form, and took place after about a year. It was a serious blow to the prospects of the claimant child, who had now lost a warm and useful friend. The Colonel wrote a regular letter of condolence to the Duchess which shows that they had been working in concert.

"That I presume," he wrote, "to offer my humble compliments of condolence on the unhappy turn affairs have taken lately in your family ; it gives

great concern to every one that has a heart, but must be infinitely more afflicting to me, as there is too much reason for my fearing that the generous warm interest your Grace was pleased to express in regard to justice, and my Lady Jean Douglas, her honour (and this of her only remains) may in great measure have given a handle to your Grace's enemies to bring about this deplorable misunderstanding, which, I am hopeful, will soon be brought to rights when my Lord Duke comes to think coolly on the step he has been hurried into, by designing false friends about him. My Lady Duchess, the inhumane, barbarous treatment at Newbattle, though very hard to bear at the time, will, I am convinced, when the Duke comes to the knowledge of it, be the first step to show the monsters, who were capable of ordering and acting in that shocking scene, in their proper colours, and inflame his generous breast with proper resentment; as a lady is ever deemed under protection of her husband, an indignity offered to your Grace is directly done to his Grace. If the sympathy of all who think right can alleviate the present distress your Grace labours under, that, and the justice of your cause afford consolation; with that your Grace may find, with a full triumph over your villainous enemies, is the sincere wish and earnest prayer of your, &c."

These "villainous enemies," however, perhaps did not know that they had to deal with an extraordinarily capable woman, one of strong will and

purpose and not likely to be easily affected by such a check.

It is, therefore, no surprise in such a chapter of surprises to find that within a few months they were reconciled. But this was all arranged in legal fashion and by solemn treaty. It was stipulated that in the future the lady was never by word or deed to approach the subject of Lady Jean and her children, and that the Duke as regards that matter was to be left in peace. As may be conceived, these engagements did not in the least affect the conduct of the lady, who presently recommenced her labours, only with more reserve and discretion.

Soon after the separation, when the collector waited on the Duke, who was walking about the room, he suddenly burst into a rhapsody of passion and began reviling all concerned—the Duchess, Mrs. Hepburn, Sir J. Stewart, "the Duntreath dirt"—damned them all, called Sir John a spendthrift and his boy a spurious brat!

Everything about this family seemed destined to be wild and strange. During the quarrel a fire broke out in the room next to her bedroom, when all her jewellery was destroyed. The Castle was burnt to the ground, and, as we have seen, it was given out that this conflagration had been the work of the Duchess.[1]

[1] Adam, the famous architect, furnished designs for a new castle, and at the same time was employed to furnish a new Inverary Castle. The old Duke of Douglas selected the same design, stipulating that it should be ten feet larger in every direction.

The Duchess, taught by the lesson, henceforth appears to have used her influence fairly, and when the Duke was making one of his many settlements, pressed him to give £10,000 to one of the Hamiltons, Lord Douglas. His feelings were now so changed that he declared that he knew the Hamiltons better than she did, and that they had always been great enemies both to him and to his sister, that if she were in their power as much as they were in hers they would not have given her 500 pence, if she were very young. But he gave way at last, saying it was to please her; "she was a fool to insist on it, for she should keep it in her own power." She had struggled well, he said, for him and for the honour of his family, and she should go on, as the struggle was not over yet. All this time "he was drawing his breath with difficulty as a dying man." Here again we have the typical Highlander of Scott—"dour," clinging to his prejudices and feelings and to the pride of race.

It was curious that this combative lady was now about to be confronted with a spirit as intrepid as her own—one who was also stimulated by family interests. This high dame was the well-known Duchess of Hamilton—a fearless personage—to whom even the majesty of the King and his Court brought no restraint. She was bold of speech and prompt in action, though somewhat of an *étourdie* in character.

This most successful of fashionable dames, who really had the most extraordinary social advance ever

known, was the daughter of a Roscommon gentleman, Robert Gunning of Castlecoote, her mother being a daughter of Lord Mayo's. She was born in 1734. It has been over and over again described how the two sisters Gunning came to London in 1751, their beauty causing an extraordinary sensation. A year later, in February, 1752, when she was only eighteen, she was married at midnight at one of the unlicensed chapels to a rake and debauchee, James, Duke of Hamilton. This was but the beginning of her honours. Her husband dying within four years, she was offered marriage by yet another duke, the Duke of Bridgewater, and engaged to him; but the affair was broken off. Shortly after she married in March, 1759, "Jack Campbell," later Lord Lorne, next heir to the dukedom of Argyll. When George III. came to the throne she was appointed one of the ladies of the Court. She still retained her title.

The number of dukes she was concerned with was extraordinary, and is worth recapitulating. She married two dukes, her two sons became dukes in succession, and her two Argyll sons also became dukes. She was engaged, as we have seen, to a third duke. Seven dukes in all. In addition to being "a double duchess," she was created a baroness in her own right, an honour that descended to her sons. Here was a regular cascade of honours.

It was in 1761, when she was only nine-and-twenty, that this beautiful dame began her struggle against the Douglases. Her family was not well off, and the

chance of frustrating the designs of the impostors seemed a good one.

It might seem, and it has been often so stated, that it was the Duchess of Douglas's dislike to the Hamiltons, and to the Duchess of Hamilton in particular, that caused her to espouse the cause of the children so vehemently. The true cause of her dislike was that they were next heirs, and that the Douglas estates would pass to them, while she herself would be dispossessed and have to withdraw into obscurity. Further, it was intolerable to a haughty Scotch lady that an alien Irishwoman should be installed at the Castle of the Thanes of Douglas. But if the Duke could be induced to recognise the children her pride of race would be gratified by the estates being continued in the direct line.

The Duke, under all his oddities and hard intolerance, had a feeling heart. He had been the prey of schemers such as Stockbrigg, who had worked on or terrorised his weak soul. From the time of his sister's death many curious, fitful changes came over him. At one moment he was full of hostility to the boy, truculently denouncing him as an impostor, at another, quite softened, he would be asking questions as to the manner of Lady Jean's death. He was constantly having servants brought to him who knew something of the matter, listening to their stories, in which mood he was highly suitable for whatever designs "Peggy Douglas of Mains" may have had in view. It should be recollected that she was cousin to the

Duke, and therefore cousin also to her sister-in-law, Lady Jean. She knew therefore her troubles and her story very well. She must also have known the boy.

The distress of her husband, now that he had come to a better feeling as to his late sister, began to show itself as really poignant and sincere. He bitterly bewailed his treatment of her. He prayed often to God for forgiveness, and that the persons who had been his cruel instruments might also be forgiven. He had been heard to say before, when complaining of Stockbrigg having robbed him, that the worst thing he had ever done in all his life was preventing his seeing Lady Jean, his sister, when she came to his gates.

Mrs. Hewit about this time—in August or September, 1755—chose to address a letter to the Duke of Douglas, of which a copy was found among her papers. The woman was quite incapable of writing or spelling properly, and it is clear that it is a joint composition of her's and Sir John. "My Lord Duke," it ran, "I have ever been in a bad state of health since ever I lost Lady Jean; and I don't know how soon I may leave this world: so cannot in justice of my conscience leave it without declaring the truth in regard to the injured great and worthy Lady Jean Douglas with respect to the dear children. I do solemnly declare and am ready to swear that I received the two lovely babes out of the bed, as they came to the world from Lady Jean—*the landlady Madam Michall and her daughter present.*"

So here again have we the announcement that the event took place at Michele's, with the addition that the landlady and daughter were present. It is clear, therefore, that both Sir John and his confederate had at this time settled that Michele's was to be the *locus in quo*. It should be noted that, as in the case of Sir John's communication to Mrs. Shaw, Hewit had not yet learned that Michele's house had, on inquiry in Paris, been proved not to have been the place. They certainly managed the business very stupidly and clumsily. When Mrs. Hewit came to be examined before the Court of Sessions some seven years later she, like Sir John, mended her hand, and changed the *locale* to le Brune's.

One Harper was despatched specially to this woman to make inquiries. He was commissioned, he said, in the most solemn, serious manner, to ask her what she knew of the birth, and he adjured her, as she was in a bad state of health, to tell the truth, as it would affect her condition in the next world. On which she replied, as solemnly, "Mr. Harper, you have been long acquainted with me, and I hope you don't suspect my sincerity or integrity. I solemnly declare to you I was in the room by Lady Jean when she was delivered of two boys. I was the first woman that touched them after they came from her;" and she repeated the details of the story of le Brune, "in whose house they were staying at the time."

The various persons connected with Lady Jean were sent for—Mrs. Hewit, Mrs. Hepburn, Mrs. Glass.

Mrs. Hewit saw the Duke and made a deep impression on him.

Vague inquiries continued to be made, without much result. Meanwhile the lad was put to good public schools at the charge of friends and patrons. Many years passed over. The thing slept, until all was to be once more wakened into life by the startling news of the Duke of Douglas's death.

When it came to his last illness, which lasted about five weeks, the Duke went out a good deal in a carriage with Mrs. Hepburn, when he repeatedly dwelt on his sister's treatment, regretting the miseries she had gone through at the end of her life, and he would pray that God would forgive him for what he had done, and that He would also forgive Lord Dundonald and Archibald Stuart and Stockbrigg, for they were the cause of his neglecting his sister. Meanwhile he was revising his settlements—cancelling old ones and preparing new ones—each successive one more and more favouring the interests of the boy.

In October, 1754, we find that he made a fresh settlement in favour of the Hamiltons, who were to succeed after failure of the heirs male of his body, reserving, however, powers of revocation. His personal estate also he settled in the same family. After Lady Jean's death he had, in June, 1757, affirmed his intention and resolution to have all his estates so settled as to "debar and exclude the children and issue" of Lady Jean from the succession, introducing, however, the heirs female of his body, who were to

succeed before the Hamiltons. On his marriage he made some further limitations, adding that in failure of such the estates should go to his nearest heir as he should appoint, and failing these to his own proper heirs-at-law.

In spite of all these arrangements the chances of the Hamiltons speedily began to vanish, owing to the influence of the new Duchess, and it must have been a tremendous shock when, in September, 1759, a month after his marriage, Mr. Chalmer, the solicitor, was called upon to deliver up to the Duke all the settlements in his custody. The solicitor was clearly in the interests of the Hamiltons, and knowing that this portended the annulling of the deeds, he took the daring course of obstructing the proposed arrangement as far as he could. He warned the Duke that any such destruction would *ipso facto* hand over the estates to Lady Jean's child, though no deed was made in his favour, unless another arrangement was previously made. "God knows," he added, "I have no ill will at the young man! I know him not. . . . Your will should be sovereign." [1]

[1] It will be interesting in this place to give a summary of the Duke's various settlements, revocations, &c., made about this time. They were numerous, and show the various stages of vacillation with which this unhappy being was afflicted to the very close. Two motives seem to have worked in him, either the favouring of the Hamiltons, or the exclusion of his sister's "nunnery" child; thus, in 1754, he settled all on the Duke of Hamilton, failing his own heirs male of his body; and in 1757 he made another settlement to the same effect, adding that it was his intention that his sister's son

Death of the Duke of Douglas

The Duke died on July 21, 1761. One of his last directions was that he should be buried in the bowling-green of his Castle. This odd wish was, however, discreetly ignored, and he was laid in the parish churchyard. His intrepid Duchess was to survive him long, and to live until she had seen the triumph of the cause she had espoused, dying on October 24, 1774.

What a momentous announcement was that—what a letter to write! what joyful tiding, when, after nigh seventeen years of struggle and misery, Sir John

should in no event succeed to his estates. After his marriage—no doubt contracted in the hope of securing a direct heir—the influence of the Duchess began to be felt, and in 1759, on their reconciliation, he devised his estates, failing his own issue, to his nearest heirs and assigns, whatsoever, without making any exception as to the son of his sister. On January 5, 1760, he cancelled the deeds of 1754 and 1757, so far as they benefited the Hamilton family. In 1761, being seized with a mortal disease, he executed an entail of his whole estate "in favour of the heirs whatsoever of the body of his father, the Marquis of Douglas, with remainder to Lord Douglas Hamilton, brother to the present Duke;" and on the same date he signed another deed in which he set out a declaration that "as in the event of his death without heirs of his body, Archibald Douglas, alias Stewart, a minor and son of the deceased Lady Jean Douglas, his sister, would succeed to him in the Dukedom of Douglas, he therefore appointed the Duchess of Douglas, the Duke of Queensberry, and several other noblemen to be his tutors and guardians." On this settlement "the great Cause" was to turn, for the young man would claim, as heir to the Marquis of Douglas; if he did not come under that description, and were a stranger in blood, the Hamiltons would succeed. Thus the enterprising Duchess had carried through all her plans.

was able to write to his son "Jack" (son of his first wife) the great, all-important news—

"DEAR JACK,—I have not had time till now to *acquaint you of the Duke of Douglas's death and that he has left your brother Archie his whole estate.*"

But he did not reckon that the business was only about to begin, and that THE GREAT DOUGLAS CAUSE was already started.

CHAPTER XV

THE GREAT "CAUSE" BEGINS

THE Duke having died, it was felt at once that the young lad would not be allowed to enter on his estate as a matter of course and without opposition. Other claimants almost at once came forward. These were the young Duke of Hamilton, then a minor, who was represented by his guardians, or "tutors," and who was the undoubted heir male to the Douglas estates, the Dukedom being now extinct, and who in consequence of various settlements made by the Duke's ancestors, and of certain deeds executed by the Duke himself, now claimed the succession. Next appeared the Earl of Selkirk, also claiming under settlements made by the Duke's father. And finally Archibald Douglas, the presumed nephew, who claimed as heir general of the line, also under settlements made by the Duke's father, under the marriage articles, and of course under the settlement made by the Duke ten days before his death. The cases of the first two claimants of course rested on the interpretation to be given to their respective settlements, but

that of the young Archibald Douglas had to be proved by testimony of his birth. It became therefore an action of what is called "Service," and was brought before a jury in August and September, 1751, by whom he was to be "served" as heir, the later processes taking the form of a reduction of service.

The inquiry, it was felt, was merely a formal one, and the jury, in due course, found for the young claimant.

The evidence was short and convincing, considering the occasion, and consisted of: (1) Proof of Lady Jean's seeming to be with child. (2) Evidence of delivery furnished by Mrs. Hewit, her maid. (3) Evidence of repute, to the effect that for years he had been acknowledged by the parents as their child, with "the habits and repute" among friends and neighbours thence arising. (4) Correspondence between the parties establishing the birth. (5) Four letters from the accoucheur attesting the delivery. The youth had influential friends and protectors. The Duke of Queensberry, a Douglas himself, later bequeathed to him the domain of Amesbury in Wiltshire. His desolate position no doubt attracted sympathy. The defeated parties at once brought the cause before the Scottish Court in an action for setting aside the "Service." The case was to be five years lingering in the Courts—an enormous time for a single cause. It began in 1762, and finished on July 15, 1767.

It would be impossible within reasonable limits to go into all the intricacies of this vast cause, where the

mass of evidence pro and con is simply overpowering. There are many huge quartos, closely printed and crammed with details. What is apparently the most convincing evidence is encountered by other evidence apparently quite as convincing. Anything that could benefit each side seemed to be forthcoming. The result of the reading is rather bewildering from the amount of incidents. Lord Campbell tells us that at one time he actually set himself to the task of going through the whole case and of mastering the details, with the result that his opinion inclined to the side of the claimant. The Hamiltons were not daunted by this formal defeat, and set to work to collect and marshal their evidence. Great causes of this kind often evolve great and special intellects who deal with them; and, in this instance, we find that many of those concerned were notable for wonderful ability and resource. In addition to the clever women engaged, it was to bring Thurlow, Mansfield, Burnet—later Lord Monboddo—and even "Jemmy Boswell" on the scene, together with a man of singular inquisitorial ability. This was Andrew Stewart, one of the "tutors" of the young heir of Hamilton.

Andrew Stewart was a man of extraordinary ability, brilliance, and determination, and of undaunted spirit. It may be that without his untiring exertions and sagacity, the case for the Hamiltons could never have been fought as it was. His exertions were so potent and had such an effect that it was thought necessary by those who finally decided the case — rather

by the one who gave a notoriously partial judgment, Lord Mansfield—to reflect severely on his proceedings, as though he had passed beyond legitimate bounds and acted an unscrupulous part. It seems astonishing that so eminent a judge should have resorted to this device, unless he had felt that Andrew Stewart was really the whole case in himself, and that to overthrow him was to overthrow the case. His well-known scathing letters to this eminent judge are brilliant reading, and prove his ability. The portion in which the facts are marshalled, the convincing logic, and the ingenuity displayed, together with the charm of style, are truly remarkable.

France, or Paris, it was seen at once must be the battle-ground. It was there that the plot had been hatched, and there the clue was sought by Stewart. This capable Scot must have been a born detective, so admirably and sagaciously did he follow the track. He knew no French, was a complete stranger to Paris and its complicated fashions, yet in an incredibly short time he was completely familiar with the intricacies of the French laws and its practitioners, consulting with and even guiding the counsel employed. It was wonderful how soon he got on the scent of the purchased children and their parents, favoured partly by uncommon luck and by his own unerring instinct.

He set out on his mission in August, 1762. Abundant funds were needed to fight the battle. These were forthcoming, for the Hamiltons were

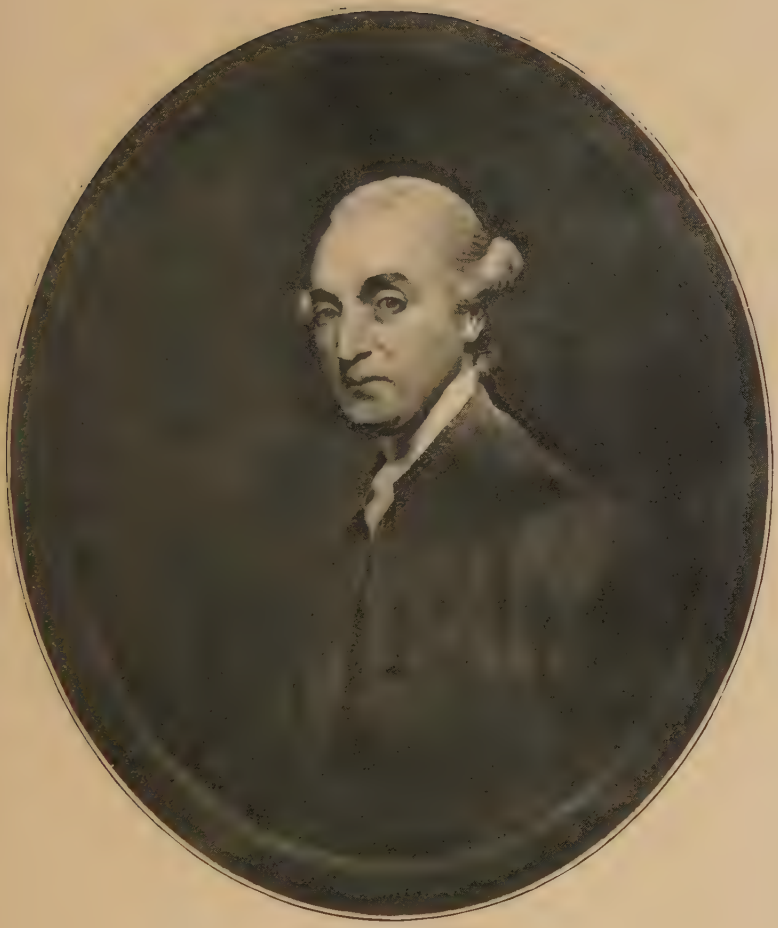
wealthy. But the other side was also at work. The Duchess of Douglas with some legal agents was on the ground, also making inquiries, and actually on the very traces of the energetic Andrew Stewart, often anticipating him with some of the witnesses. Her agents were Garden (afterwards judge), Murray, Carnegie, and John Hay. A curé at St. Laurent Church was beset by the rival parties, and became quite bewildered by the crowd of contending English who came to interrogate him.

It was all important for the claimant's interests to reconstruct as it were, the missing accoucheur; to find him, if it were possible, or to find those that knew him; and, accordingly, after infinite trouble and much exploring, the Hamilton agents discovered something about a physician bearing the name, or one very like the one wanted, to wit, "Louis Pierre Delamarre," whom a certain notorious Menager recollected telling him the whole story of a foreign lady whom he had delivered of male twins about the time of the claimant's birth. This Menager was supported by others as questionable. The whole case was to circle round one, who recalled his connection with this Menager, and whose evidence was vehemently contested and supported. He seemed to anticipate that famous "*non mi ricordo*" witness of the next century. What must have struck impartial people, however, was the significant fact that the names were not the same, Pier la Marr being quite a different one from Louis Pierre Delamarre. There could have been no change

in the fifteen years or so that had elapsed, and the brothers and other relations had always been called Delamarre.[1]

But it did seem only too probable that when it was noised abroad through the length and breadth of France that two English families of great wealth and influence were eagerly searching for a lost accoucheur named La Marr, and that the French Courts were also engaged in the business, issuing *monitoires* admonishing all who knew anything of the matter to come forward, how likely, I say, that this should be an irresistible invitation not to produce a La Marr in the flesh, which would be perilous, but some one who said that he had known or had been told the story by him. It was even safer still and more feasible, that those who had known a doctor with a name resembling that of La Marr should be tempted to say that *this* person had told them years before that he had been employed in the case. There was no one who could contradict such a tale. And further, there *might* have been some shadowy foundation—this Delamarre might have attended some foreign lady under mysterious circumstances. As it was, Menager did not venture to give any names. It was indeed extraordinary how so lame a story could

[1] It is remarkable as bearing on the question of the different spellings of the names that in the admittedly forged four letters from the accoucheur the name is given as Pier la Marr, not as Louis Pierre Delamarre. This shows conclusively that at the time of the "utterance" of the forgery only four or five years before the suit, the pair had never heard of this Delamarre.



ANDREW STEWART, MANAGER OF THE HAMILTON CASE.

After a portrait by Sir Joshua Reynolds.

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have been accepted at all. Most singular of all was it that not only Sir John's Pier la Marr should be dead, but Delamarre also, Menager's accoucheur.

Again, and perhaps again, it must be repeated that the incidents of concealment and squalor and penury which attended the supposed birth, the shifting from house to house, the confessed delivery at the "home" of a sort of nurse-tender, the mysterious accoucheur, the employment of one who was inferior practitioner at the Hôtel Dieu, and in narrow circumstances; the two children never having been seen together—these things pointed to the conclusion that hiding and mystery and imposture were the objects in view. There was no blaze of publicity and general "clatter," as the Scotch lady put it, with invitation to all the world to come and see that there could be no question as to a true and genuine birth of twins having taken place. Add to this the excuses of extreme poverty, which compelled them to this meanness, the truth being there was plenty of cash. It is quite clear that the woman le Brune, whom Menager also described as a *garde-malade* on his own showing, kept a very doubtful sort of establishment—a sort of convenient retreat to which came ladies from the country who had reason for concealing their situation. Delamarre was, it seems, one of her worthy patrons, and put his patient, Lady Jean, under her care.[1]

[1] Andrew Stewart, in his admirable and convincing letters to Lord Mansfield, has "riddled" this Menager portion, and, as it were, torn it to tatters.

Delamarre's brother, who was a surgeon, frankly declared that he had never heard of this case from him, or that he had the care of one of the twins, yet he was most intimate with him, and they worked together.

And what an extraordinary doubtful element in the case was the presence of this shady medical assistant! Whether Pier la Marr, or Delamarre, he was shown to be no better than one of those cheap, doubtful practitioners whose offices we note in some of the back streets of London. Some such a man the Colonel pitched on, whom he really had known at some remote period as the person who, as he gave out, had attended his lady. Yet it was ascertained that a first-class accoucheur could be had for a few livres in Paris, and the very best—one who attended the Dauphiness—for from three or four louis. The wandering accoucheur, such as he was, we are told, dropped in by a surprising accident on the morning of the *accouchement*. As it was forcibly put, "Colonel Stewart durst not venture to ascribe the delivery to any accoucheur living at Paris, for that would expose him to certain detection. Neither would it have been safe for him to know in what street he resided, or in what house. Neither could he pretend ignorance of his name, especially as he was for sixteen months in charge of one of his children. The best plan was, therefore, to boldly give his name and say at the same time that he was a stranger who had come occasionally to Paris with no fixed residence there—even to

invent some pretence for concealing his place of abode, and lest there should be any surprise hereafter at the difficulty of finding him, he represented him as an old man, probably dead, and addicted to travelling." An accoucheur engaged to attend a case, but who will not furnish his address, seems a strange practitioner indeed.

Andrew Stewart unearthed everything about this phantom accoucheur. But he presently made some discoveries of the most striking and dramatic kind. An account of these he wrote to his principal at home, Baron Mure.

"PARIS, 12*th June*, 1763.

"DEAR SIR,—At present the denouëment of the piece hastens so fast to a conclusion, that I seize the opportunity to give you the first accounts of some interesting particulars.

"You have, no doubt, seen the short memorial which I sent to Mr. Johnstone by express on *Wednesday se'en-night*. It related to a late important discovery made since my return from London. Since sending off that express, I have continued the investigation, and have found out various persons and circumstances which tend to confirm me more and more in the certainty of our having found out the real history of the youngest of the twins. When that express was sent off, I had not seen the father and mother, nor the aubergiste, nor the woman who conducted the monsieur etranger into the different

houses. What was stated in the memorial was taken from what I had learnt from the curé de St. Laurent, who had examined all these people, and had taken down in writing what they said on the subject. He refused to tell me the names of the father and mother, and of the other persons, until he should consult with a great personage here, who he said he knew interested himself in the affair, on the other side. However, I found out in the registers of the police the name of the house where they lodged in November 1749, and the feigned names which they took there, which agreed precisely with the name which the curé had learnt from the father and mother that this stranger gentleman had taken when lodged at the Croix de Fer, chez Madame Selle. I carried to the curé what I had found in the registers of police. He, in his zeal to show me that it agreed precisely with the names, place, and time, which he had taken down in writing from the father and mother and other persons, presented to me these passages of his written examination.

" In this situation things rested for about a fortnight, when, on Thursday last, Mons. d'Anjou and I growing impatient to have an opportunity of seeing the father and mother, went to the curé's to beg him both to give us the name and address, and permission to see them ; and that it would be so much the more agreeable if we saw them in his presence. The curé, who had a considerable time ago been applied to by a friend of the other party, for assisting them in a discovery which they thought they had made in his

parish of a nurse of one of the children, told us at this visit, that *toute l'Angleterre* had been with him yesterday (Wednesday) and this day on the subject of our affair; that three gentlemen had been with him yesterday, and four this day, making inquiries at him, and very earnest to know the particulars. By the description he gave, we soon found it to be the opposite party. He said he had told them the same history that he told us; that he had refused the day before to give them the names of the father and mother, for the same reason that he had refused it to us; but that they had returned this evening, and were so urgent, and used so many arguments for the justice of it, that he had at last given them the names and address of the father and mother of the aubergiste, and of the person who conducted the etranger into the different houses. This had happened about two hours before our visit; and the persons who had been with him we now find were Mr. Garden, Mr. Murray junior, Mr. Carnegy, and John Hay. We blamed the curé for having given them, at their second visit, what he had refused to us so long; and remonstrated (*sic*) the disadvantages he put us under by this method of proceeding. He made some excuses for it, and immediately gave us likewise the names and addresses; upon which we set out to find the persons in question. This happened about eight o'clock on Thursday night; and both parties kept the field this night till near twelve, hunting the father and mother, and others concerned. They had access to see before us both

the father and mother, and the woman who had conducted Sir John to the different houses. And I am very well satisfied that it so happened. They had seen the woman-conductor about an hour before us. She is a person of exceeding good character, and blessed with a happy memory. She gave us a most distinct account of the matter; and said, she had given the precise same account to the other gentlemen. The father and mother were not to be found till between eleven and twelve. Both parties had sent frequent messages to find out where they were: at last, when Mons. d'Anjou and I passed to their house about half an hour past eleven, we observed, in approaching to it, the Duchess of Douglas's coach waiting there; and learnt, that four gentlemen were in the house waiting the arrival of these two persons. ——Our first resolution was, to go into the room where these gentlemen were waiting, and to be upon an equal footing, by being present at the first interview: but upon second thoughts we agreed, that it was better to allow them, without constraint or interruption, the opportunity of conversing them on this subject the first, and before any person interested for Duke Hamilton had spoke with them. This I thought would prove the more convincing to them; and besides, I told Mons. d'Anjou, that as, from the description of the four people who were waiting there, Mr. Garden was certainly one of them, there could be nothing to apprehend of any thing improper, or of any other than a fair inquiry. Mons. d'Anjou was

satisfied with these reasons; so we drove off, leaving them in possession of the field. It was not till Friday morning that any person on our side of the question has been the father and mother.——The account which both they, and all the other persons who had access to know of this singular event, concur to fix the theft of the child, the time and place, and the various circumstances which show that it was done by Sir John Stewart, Lady Jane, and Mrs. Hewit, and by no other persons. Besides the persons above mentioned, I have found out the garçon of the auberge at the time of the event, and his wife, who served in the house at the same time, and several other persons who had particular access to know the carrying off of the child.

"I imagine this last incident will soon open the eyes of all the adherents of the other party. It has come like a thunderbolt upon those concerned for them here; and I imagine you will soon see the effects of it.

"There were in the family whence the child was carried off, nine children at that time, of whom seven are still alive. When Sir John first entered the room where the family were, he had seen all the others, excepting the child which he carried off; and as, probably, they were rather too big for his purpose, he asked the father and mother, 'N'en avez vous pas de plus petits?' upon which the youngest, then about twenty months old, was presented to him: he asked his age, and soon made choice of this one. All that

he gave the father and mother was 18 livres, to buy cloaths for him, and 48 livres to themselves.

"The whole children are fair complexions, and fair hair, excepting one, a little upon the brown cast. The child carried off was of a fair complexion, fair hair, and blue eyes, and a very handsome child. One of his brothers whom we saw, has the same blue eyes, and of the same complexion and colour of hair, and a very handsome countenance: they say the child carried off resembled him. This brother, then seven or eight years old, accompanied his father in the tiresome peregrination which he made during several months, in quest of his lost child. The story is deeply impressed in the memory of the whole family. The eldest sister fell-acrying yesterday when she talked of it; saying, That she had a particular affection for that child; and that he was one of the handsomest boys that could be seen.

"As to the pedigree and occupation of the family from whence Sholto sprung, I can scarcely mention it to you seriously. The father has passed the greatest part of his life in quality of buffoon to a rope-dancer; and one of his sons, he who resembles Sholto the most, is at present *fauteur* under Nicolet, the famous balance-master and rope-dancer at the Boulevard. When we sent for him on Thursday night to the Boulevard, his answer was, That the first act was only over; and that he could not come to us till the end of the whole performance. And when we went to the father and mother, on Friday morning,

the son, who was but getting out of bed, made excuses for his late rising, that the night before he had had three *jeus* in the *fauteur* way at the Boulevard ; which it seems is one more than usual. These circumstances are so ludicrous, that they are enough to discompose the gravity of judges, in a matter otherwise so serious.

" When the whole progress of this affair, from first to last, comes to be known, and the singular manner in which the most important of the discoveries have been made, it will be allowed to be one of the most celebrated of the *causes célèbres*.

" The hint upon which this last discovery was made, came from a conversation of persons about a hundred miles from this ; where there was in the company, a man who remembered a conversation he had had at Paris, about twelve years ago, about a child that was carried off by strangers from the fauxbourg St Laurent. This person from whom the hint came, had not been at Paris these many years ; but remembered that the event, whereof he had learnt the particulars, had happened about fourteen or fifteen years ago. The letter which I got on this subject, from a friend in the country, gave rise to this investigation ; which has been a principal object of attention since my return from London, and has prevented my scheme of being in Scotland at the beginning of the session.

" This discovery does not add any thing to my own conviction of the imposture ; for I think it was sufficiently shown and demonstrated by the discoveries stated in the former memorials : but in a case of this

kind, no proof that tends to make the fraud more and more manifest ought to be neglected.

"This late incident cannot fail to make a noise soon in Edinburgh. The other party know it since last Thursday. It makes a great noise here; where this cause has been much a topic of conversation, from the sovereign downwards. It will be some satisfaction to observe numbers of converts this summer, after all the toils and anxieties we have had in this affair."

In his journal Stewart wrote under date of August 5, 1763: "Came home from thence. Found Mons. Doutremont going out of the Hôtel de Tours. He had called, and left a letter for me, about an important hint, received in a visit he was making this afternoon. Upon our meeting, he returned with me to the hôtel, and acquainted me, That in a visit he was making to the Archbishop this afternoon, where there were several curés, and amongst others, the curés de St. Laurent and Ste. Marguerite, he had learnt, that in consequence of the monitoire, there had been a revelation made to the curé de Ste. Marguerite, of a child carried off from his parish in the year 1748, which seemed to correspond to our affair. Mons. Doutremont staid with us some time. We conferred together what would be the properest method of getting at the truth of this affair, and agreed at last, that the properest manner would be by Mr. Stewart and me calling upon the curé de Ste. Marguerite, and asking him, whether any revelation was made in his

parish, that related to the affairs contained in the monitoire?

"Mr. Wedderburn joined us, while Mons. Doutremont was with Jack Stewart and me, and passed the rest of the evening with us.

"*August* 6. *Saturday.*—Jack Stewart and I went to the curé de Ste. Marguerite, in the fauxbourg St. Antoine; found the curé at home, who seems to us a man of good sense, and a very decent becoming behaviour. After telling him our errand, the report that there was of a revelation being made in his parish that related to this affair, and that this action had been begun and followed out by me; he told us, That there had been a revelation made in this parish; but that the form usually observed, was, to send that revelation to the procureur-general before showing it to any others; and that as we were quite strangers to him, and that others might come to him in the same way, saying, that they were pursuers; therefore he hoped we would excuse his not communicating to us the revelation. We by no means pressed it further, but entered a little into conversation with him; in the course of which he took confidence in us, and at length showed us the revelation itself, which was made by the father and mother a few days after the first publication of the monitoire, and is signed by them. The circumstances condescended upon in this revelation immediately struck Jack Stewart and me, as relating to our affair. We inquired about the register of baptisms, that we might see whether the child in

question had really been born in the year 1748, and at such a time as would correspond with this affair. The curé had not yet examined this. He brought to us the register of baptisms, where we found the son of Mignon (which is the name of the person that has made the revelation), baptized upon 1st July, 1748. This circumstance confirms the enlevement to have happened in July, 1748, as the child carried off was then about two or three weeks old. We did not ask, nor did the curé tell us, where this Mignon lives at present.

"The curé told us, that when the mother was with him at revelation, she fell a-crying about her child; and that he had said to her, en badinant, 'Ces personnes qui vous ont enlevées l'enfant, n'ont pas voulues lui faire du mal, comme vous voyez, puis qu'ils l'ont faits pair d'Ecosse, avec trois ou quatre cens mille livres de rente."

"From the curé's we went to Mr. D'Anjou's, communicated to him what had passed, which he heard with great satisfaction: From thence came home, and communicated it to the Duchess of Hamilton and Lord Lorn, whose post-horses were in the court for their setting out this day for London; but upon this news, and our representing to them that it might be highly proper to continue here a day or two longer, until we should see further into this affair, they delayed their journey until Tuesday next.

"*August* 9.—As we did not know the place of abode of Mignon and his wife, we thought the most

natural way of finding them out would be, by going to the *manufacture de glaces*, where Mignon had formerly been a workman. Accordingly we went all directly to the *manufacture de glaces*, faubourg St. Antoine; and, by the means of the Suisse, found Mignon the father, and Mademoiselle Guynette, the daughter of the woman who had been first applied to about finding children. The history of what passed there, and during all the remainder of our inquiries this evening, is fully inserted in a written account of it drawn up by Mr. D'Anjou, to which reference is here made.

"*August* 11.—My DEAR JOHNSTON,—Having at present some agreeable news to communicate, I cannot think of delaying a moment to communicate them to you: it is no less than the discovery of the father and mother of the eldest of the supposed twins. We have great reason to think, that a revelation made within these few days in consequence of the monitoire, applies precisely to our case: It is a young child carried off from his parents, under false pretences, in the month of July, 1748, between the 9th and 18th of the month. The manner of executing this enlevement bears great resemblance, though differing in some particulars, from the enlevement of the youngest child in the year 1749.

"A stranger gentleman, aged about 56, applies to a woman who sold bread at the port of Notre-Dame, near the Enfans-trouvés, and Hôtel-dieu, for two children, the youngest she could find, and of the

same age as nearly as possible, to supply the place, for a few weeks only, of twins whereof a lady was lately delivered, both of which twins had died soon after their birth; and unless they got one or two children to present to the lady as her own, during the time of her being in childbed, that there was reason to apprehend that she would die also from grief. He recommended the getting of two children, if possible; but if that was not easy, he would be satisfied with one healthy child to show to her, and could pretend to her the other was weakly.

"This woman applied to one of her neighbours, the wife of a man who wrought at the *manufacture des glaces*, faubourg St. Antoine; who was prevailed upon to give the loan of her child for a few weeks, for this purpose of comforting the lady in distress; and the gentleman gave her three Louis for this loan, and was to pay a certain sum *per* week, if he kept him longer than the time limited. He appointed a place where he was to show them their child, at the distance of fourteen days. The father and mother came there at the day appointed, but no appearance either of the gentleman or their child; and from that day to this these poor people have never been able to get the least knowledge of them, although they had procured masses to be said in several churches of Paris upon that occasion.

"Happily the father and mother are yet alive, and the woman in whose house the transaction about the loan of the child was made, and where the cloaths in

which his mother had wrapt him were taken off, and much better cloaths, provided by the stranger gentleman, put upon him. At this interview in the woman's house, who is a *libraire* near the Enfans-trouvés, there was present with the stranger gentleman, who spoke French pretty distinctly, a stranger lady, who appeared to them about the age of 36, so far as they recollect, who did not speak French at all, or at least very little; and these two strangers spoke to one another in a language which the rest did not understand.

"The gentleman and the lady, without any servants, mounted into a coach with the child, after having arranged their matters, and drove off. The father and mother had not learned from them the place of their abode; but the father followed the coach, which drove into the fauxbourg St. Germain, and he lost sight of them in one of the streets of the fauxbourg, not far from the Pont-Neuf.

"He trusted to the seeing his child again at the place of rendezvous agreed upon, but never heard more of him.—The story was known amongst all his neighbours recently after it happened, and multitudes of witnesses, having particular access to know of it, are still alive.

"These poor people have other two sons alive, the one aged twenty-two and the other thirteen, very well-looking children. The youngest of them has, to the best of my remembrance, a strong resemblance of Archibald Jacques Edward, whose real

name was Jacques Louis." Such was this strange tale.

The likeness of the children to their father and mother was, of course, an important element in the business. Many witnesses repeated that Sholto was the image of Lady Jean, while Archibald strongly resembled the Colonel; others saw no likeness at all. Lord Lindores was, however, struck by Archie's "dark brown complexion," and when "the Cause" was at hearing in London, this cast of face was noticed, and it was said he resembled a French peasant. The truth is this power of "seeing a likeness" is very naturally influenced by the feelings and prejudices of the person. It will be recalled how in the Tichborne Cause numbers of genuine witnesses—even the mother herself—persisted in recognising the heir in the lineaments of the rude Wapping butcher; in general it was the friends of the children that were struck with the likeness, while the Hamilton partisans could see none.

Sir John related how he came to meet the accoucheur, which was in the street on his first visit to Paris, whither he went by himself; he thought he would secure him, and the other agreed to give his services. He would give no address or say where he was to be found. He said, however, that he was always to be met with at the public gardens. Sir John, when pressed as to how, if Lady Jean were suddenly seized with illness, he was to be found, had no answer to make. The accoucheur, he said,

was obliged to keep in retirement, owing to some "scrape" he was in.[1] Thus he had either pitched upon, out of all Paris, a rather doubtful or "shady" person, or else, no birth having taken place, he had selected an adventurer who was likely to disappear. The conclusion is irresistible. A resident accoucheur of any reputation and well known would be wholly useless to name, in the case of a pretended birth, and would repudiate the story. Sir John maintained that he always went to the gardens to fetch him, and that the accoucheur never came of himself. A most extraordinary part of the case was this: that on his side it was proved that most of the particulars were incorrect, or much more were untrue: so that his counsel and friends tried to have the evidence cancelled or removed, on the ground of his age and infirmities, failing memory, &c.

It is remarkable that during Lady Jean's lifetime that clever and cautious woman made it her ruling principle never to furnish the smallest particulars relating to the event of the birth. A misty generality was her one safe policy. True, when she tried so ineffectually to get access to her brother she had in

[1] When the notorious Menager was furnishing his reminiscences of this Delamarre and his travels to Naples, he was met by the objection that Delamarre had never left his native country. His ingenious explanation was that the accoucheur meant to point at a special malady or affliction, which he said was humorously termed making a "*voyage à Naples*"—a reply that caused great amusement among the French barristers. The witness who could offer such an explanation was hardly to be taken seriously.

her pocket the four forged letters signed by the imaginary accoucheur—Pier la Marr—but this was to be a last desperate *coup*. But after her death the thoughtless husband forgot this prudence and began to furnish names and dates and places, and so, in vulgar parlance, "gave the show away." Nothing exhibits the firm purpose of his lady so much as the fact that she was pressed and almost driven to supply some evidence from abroad. But she chose the illusory writing to Aix-la-Chapelle for testimony as to her appearance, carefully avoiding Paris.

When he was driven into a corner under the pressure of questions and quite unprotected Sir John was obliged by Mrs. Napier to name an accoucheur and to call one into being. This person he named Pier la Marr, whom he said he had known so far back as 1726. He was in Belgium and attached to the army, and when Sir John called him in he did not even know his address, but used to meet him in the Tuileries gardens, where he always walked about noon. He was under a cloud at the time and had to "keep close." This shady sort of practitioner, it should be noted, was the one selected to attend a person of Lady Jean's rank, suitable for whom there could be found in the University and Cathedral town of Rheims no one of sufficient standing!

It matters little that Sir John should have told all these falsehoods about the accoucheur—the real point is *why*, with what object did he tell them. If there had been no delivery it would be impossible to name

any accoucheur who had assisted; if there *had* been one, he would have been forthcoming, with an attendant train of nurses, servants, apothecaries, &c. He was constrained, therefore, to name a fellow whom he may have met years before, whose address he did not know but whom he made a sort of walking doctor, as he could not invent an address for him.

As at the time everybody following a profession in Paris was registered in the books of the police, it was speedily discovered that there was no person of the name of Brune or le Brun who let a house or lodgings. On examination, too, of the medical registers it was shown that there was no accoucheur or physician bearing the name of Pier la Marr on the books, though there was a Louis Pierre la Mart or Delamarre who was born in 1711, and died in 1753. It was stated that one of the children was in such frail health, that it was thought it could not survive, and so he had to give a sudden and hasty baptism—*endoyer* it was called. There was the strictest obligation, under a law of 1736, that every accoucheur who performed this rite should record it in the parish register. That at St. Germain, where the birth was said to have taken place, was vainly searched without result. How unlikely that an obscure practitioner whose bread depended on the profession would neglect this duty! But it becomes clear enough if there were no birth and no child.

It is perfectly astonishing what a cloud of witnesses, testifying to more or less unimportant matters, were

forthcoming with the fullest and most minute recollection of what had occurred some fourteen or fifteen years before. Thus Lady Jean's fellow-travellers in the diligence all came forward and described the journey. There were dozens of this class. But how strange, on the other hand, that where the crucial part of the case was concerned, witnesses were lacking, or proved to be phantoms. One accoucheur was shown, but with forged letters, and he was speedily withdrawn. Another of nearly the same name was then brought forward—that is, by the agency of others to whom he had *told* his story. There was a *locus in quo*, the all-important le Brune, the *garde-malade*, and her house of rest: but neither she nor house could be found—though persons chancing to have nearly the same name were brought forward to try and fit them to the case.

The case was, however, rather complicated by Stewart's invoking the aid of a French court—the Tournelle, as it was called—and using its powers to compel witnesses to come forward with all the facts they knew. What was called a *monitoire* was issued—a peculiar form of invitation fixed up in all the churches, and which solemnly warns all those who know anything of the business that they were to come forward and tell everything that they knew or had heard of under severe penalties. Litigants obtained this *monitoire* by favour at Court or interest in high places. On this occasion it produced the most valuable results for Andrew Stewart's clients, for the

proclamation, seen and read every Sunday, reached to the parents of the stolen children.

The case being now in the French courts, the judges of the Tournelle examined witnesses, &c. As it was also in the Scotch courts, there soon came a conflict of procedure, the parties being directed by one court to do something which the other court did not approve. The Scotch judges, however, behaved with much tact, disclaiming all wish to interfere with the French tribunal, paying it handsome compliments, &c. But it was one of the charges laid against Andrew Stewart that he had unfairly made use of the pressure of the French court to obtain by this questionable method evidence that was serviceable only to himself and to the prejudice of the other side.[1]

After much discussion a Commission was appointed to proceed to France to take evidence, a member of which was the well-known David Mallet, or rather, Malloch, which was his real name. This was in July, 1763. These proceedings took up a couple of years, for it was not until July, 1765, that the evidence was reported to the court, exceeding in bulk anything of the kind ever before prepared, each party's proofs filling about a thousand quarto pages.

In April, 1764, the Hamiltons obtained a small and partial success. The Court of Session had decided to

[1] There is a vast deal of legal discussion and explanations of these delicate arguments, appeals to precedents, which, with much more technical matter, I have put aside as uninteresting save to students of Scotch law.

exclude the Tournelle witnesses unless their previous testimony in Paris was withdrawn. This was a great advantage for the claimant, as the Tournelle testimony was the mainstay of the Hamilton case. On appeal, however, the House of Lords decided that the evidence was to be used in the case, but at the same time to be communicated to the claimant. The House further decreed that the Court of Session should issue a commission of its own for examining these Tournelle witnesses afresh, and that the cause instituted by the Hamiltons in the Tournelle court should be withdrawn. In 1763 the pursuers, hearing that Sir John was quitting the country, applied for an examination of witnesses in advance of "the Cause"—*ex retentis*, as it was called. He was immediately sent for. The defenders had no notion that such a step was to be taken. Some doubts as to his being put to his oath were put forward, and it was settled in this way: "Allow Sir John Stewart's evidence to be taken, in the meantime reserving to the petitioners to insist on examining him upon oath." But they refused to allow Mrs. Hewit's evidence to be taken in this fashion. On June 9th they obtained leave to examine Sir John and also Mrs. Hewit on some fresh matters. Strange to say, on the 14th, the Douglas party petitioned to be allowed to examine Sir John *upon oath*, which was agreed to by the court and the other side, naturally enough. But this the Douglas lawyers ingeniously attempted to turn to their profit, contending that as the "oathless" evidence, though sealed up, had been

used in France to his prejudice, it should be held null and void and cancelled. Yet who could imagine that such an excuse as this should be put forward by a great judge in a matter of forgery? For days together Sir John was submitted to the most searching inquiries. His evidence was so contradictory, his confession of mistakes and falsehood so much the rule, that it came at last to be assumed that he was hardly responsible, and that he had a sort of incurable tendency to untruth. His constant plea, however, was a complete and rather convenient failure of memory. He confessed everything, together with his often-recalled answers, which were damaging, and was treated with much indulgence by the judges.

Sir John Stewart had lived long enough to witness two great successes of his life—the adoption by the Duke of the young claimant, and the decision of the Scotch jury in his favour. He was destined, however, not to witness the repulse in the Court of Session or the final triumph in the House of Peers. As we have seen, his wretched evidence had nearly shipwrecked it, and he must have felt somewhat uneasy at the prospect that might await at the hearing there. But now, like his unfortunate lady, he was to be summoned away; yet to the last, and with an intrepidity similar to hers, he was to go out of the world vouching for the truth of all both had said and done.

An old friend of his, Mr. Stewart, some seventy-five years old, witnessed Sir John Stewart's final declaration as to the son being Lady Jean's, made only a few days

before his death. The friend said he was "an old failled man," but in possession of his memory and other faculties. Another witness heard Sir John say that he was now an old, infirm man, and could not travel to courts, and did not know how soon he might be called away altogether. He was at the time so attenuated that his thigh was no thicker than his leg used to be when in health. Was it under these feelings that the reckless man brought himself, by way of helping his case to the last, to make this strange declaration?—

"MORTHLY, *June* 7, 1764.

"Having lately had some severe fits of the gout in my stomach, with my health in other respects much impaired: these, with my great age, going seventy-six, makes it appear incumbent on me to make the following declaration. Aspersions having been thrown out by interested and most malicious people as to the birth of Ladie Jean Douglas her children, in order to robb the surviving child, Archibald, of his birthright by making his parents, Lady Jean and me, appear infamous; to make him legitimate.

"I, Sir John Stewart of Glentuly, *do esolemlly declare before God* that the above-mentioned Ladie Jean Douglas, my lawful spouse, did in the year 1748, bring into the world two sons, Archibald and Sholto, and I *firmly believe* the children were mine as *I am sure* they were hers. Of the two sons Archibald is the only one in life now. I make this declaration *as stepping into Eternity*, before the witnesses after

mentioned, James Bird, Minister of the Gospel at Caputh, and James Hill, Minister of Gurdie, John Stewart of Dalgoos, Esq., Justice of the Peace, John Aweren, tennent in Slogenhole."

Now this appeal to the Almighty, made in such awfully solemn terms, might seem somewhat convincing, for even the most abandoned have scarcely ever had courage to venture on such a profanity. But Sir John, it would appear, was an unbeliever, and a reckless man. This appears from the candid declaration of one of his friends.

It is curious, by the way, as some evidence of complicity, that the striking phrase, "stepping into eternity," is also used by the woman Hewit, and by one of the maids. In all the stages he had prompted and directed her, wrote her letters, suggested alteration of dates, &c. As Sir John died only a week later, it may be fairly admitted that he believed that his death was really at hand. But was this volunteered declaration prompted by a solemn, religious feeling that visited him at the last? Two clergymen certainly witnessed it. As he wished to convey that he was religious enough not to call on the Almighty to listen to what was an untruth, why did he not penitently acknowledge and repent of the long series of the old untruths, forgeries, &c. Moreover, there is a certain reserve about the declaration, for he used the curious phrase "bring to the world," instead of "into the world," and then says that "I *firmly believe*

they were mine, as I am sure they were hers." That is, his belief that they were hers depended on his own certainty of their being his; and this could be said even if they were not hers.

The third confederate, Hewit, was also to make a solemn declaration, "Was she to *stap* into eternity this moment." She found herself very weak—"I am told I am lethly to dey." She makes no appeal to God on the main issue, as might be expected, but in an artful spirit of pretended "scrupulosity" and "hedging," of a piece with the rest, makes confession, of what?—that she had made a small mistake in her evidence—she had said they had left the house in Paris ten days after the delivery, whereas it was the sixth day! This was no doubt to convey an idea of accuracy and conscientiousness. But though she had poured out untruths like water on the main question, she did not say anything. Her letter ran:—

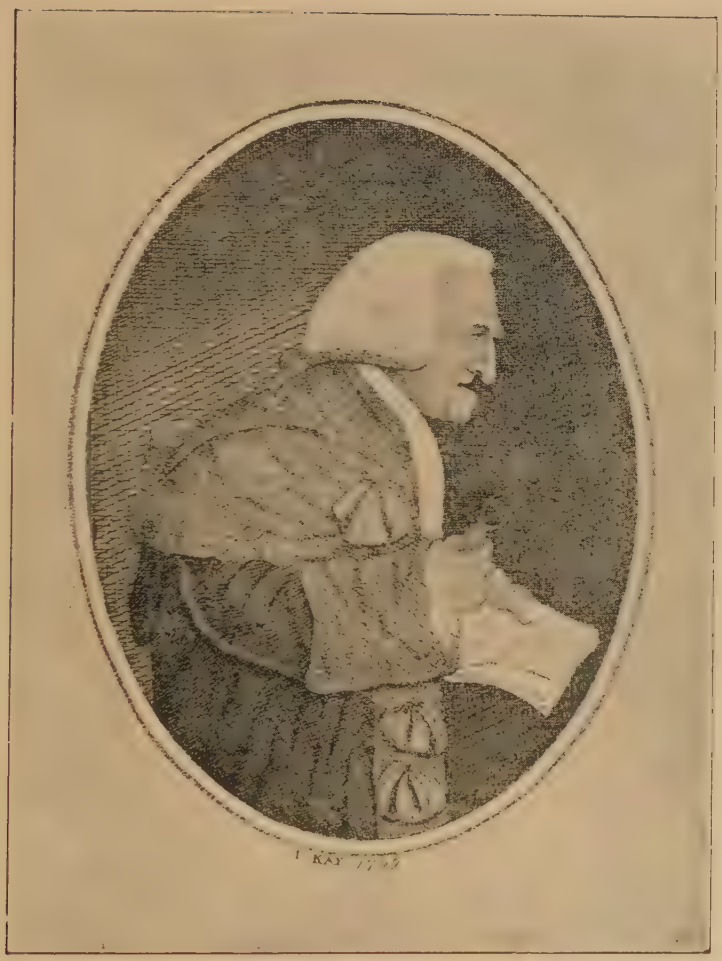
"Sir, as I find myself very weak *and am told am lethly to dey* (die), I was fond to see you to eas my mind; for I find in reeding ofer Mr. Douglas' serves, that I was in a mistake. . . . What occasioned my mistake was scertainly that I still persisted Lady Jane when she insisted to be removed from the *bogs* (bugs) that it was not possible for her to move tell the tenth day at sounset, for it would kill her, but any way she would be, and said any chance was better than staying to be eat up alive by the viledst of vermin, and it being the tenth day of our being in la Brouns house that we left it might help to make the tenth

troun in my mind. I have told of this mistake to see if it was possible to hav it rectified; they tell me it cannot be but I hope you Sir can eas my mind as all I declared on my exemmiennation is trou, but that mistake of the day of liven la Brouns house which I thought trou when I ded it." This extraordinary letter is evidently a concoction by her and Sir John, for it was impossible that a person of so low a type could follow out such fine distinctions of evidence. She, however, did not die till some years later.

CHAPTER XVI

DECISION OF THE COURT OF SESSION

DURING this long series of years both sides were busily at work, Andrew Stewart in Paris, ferreting out evidence and carrying on his suit in the French court, the Duchess of Douglas and her party also working in the same city. At last when all the evidence procurable had been collected, in the summer of 1769 the Scottish Judges ordered both sides to furnish memorials with the evidence and their arguments upon the case, with the usual proofs, which were embodied in huge quartos, one containing 600 pages of print. This was but a portion of the vast amount of matter it was to engender. There were some seven or eight volumes of similar dimensions—and very interesting reading they are. One cannot sufficiently admire the acuteness of the Scottish counsel—their ingenuity in argument, and the admirable, logical style in which they marshalled the very perplexing evidence. These memorials set out the whole story in very vivacious fashion with comments and inferences,



BURNET, AFTERWARDS LORD MONBODDO.

From "Kay's Caricatures."

To face page 226.

being, as it were, written speeches, only far more coherent.

Burnet—afterwards Lord Monboddo—went over three times to France to look for evidence, and spent over thirty days in the pursuit. He was acting for the Duke of Queensberry, the young man's guardian. He was helped by another counsel, Garden. At one time the fortunes of the case seemed so desperate, that the French lawyers were for throwing up the whole case, but Burnet opposed this course stoutly and prevailed.[1]

Horace Walpole, on his way to Paris in 1755, stopped at Amiens, where he met this singular Duchess of Douglas at the same inn. She was on her way back to England. "You will not guess," he wrote to a friend, "what she carries with her." One of her servants had died in Paris: she had him embalmed, and brought him home. Mad certainly.

Andrew Stewart was a friend of Hume's, who espoused his interests; in the Douglas Cause his was the side he adopted. He evidently considered him a person of extraordinary talent. Dr. Hill Burton

[1] The Life of Lord Monboddo, by Professor Knight, which appeared not long since, is a disappointing book. How promising it sounded, for what a feast of eccentricity, grotesque sayings, &c., were not prepared, chiefly by "Bozzy's" graphic sketch of him! Then what an abundance of minor characters were grouped round! He had an important share in the Douglas Cause, being the Duchess of Douglas's chief and laborious adviser. What pictures we should have, and secret histories too! Instead, we have a series of letters, little gossip, and hardly anything about the "great Cause."

says that he lent him money. They were very intimate and maintained a close correspondence.

Baron Mure of Caldwell was another of the moving spirits of the Hamilton party. On the first success, in the Scottish Court in 1767, his friend Hume, then at Paris, wrote to him: "You may easily conceive my satisfaction at Hamilton's victory. This incident puts you in entire security, whatever becomes of the decision here. But I think you have little chance to lose it in the House of Peers. The triumph of reason was very signal even in that very small majority among your judges. Lord Mansfield, the same day he heard of the President's declaration, gave him very high praises to a friend of mine, and protested he was yet totally ignorant of the merits of the case." Hume, it will be seen, was but an indifferent prophet.

From his letters we can easily gather that a factor in the case was the sort of Jacobite colouring which was imported into it by the Douglas party. The Colonel, Lady Jean, Chevalier Johnstone, the Duchess of Douglas, were all more or less tainted—the romance of Jacobitism overspread the whole, and young Archie became a sort of romantic hero, like the young Chevalier, "kept out of his rights" by a hostile faction.

In June, 1764, Hume was dining with the venerable Duchess of Perth. The talk was on "the Cause," and "the deliberate dishonesty of the Duchess Douglas and her partisans" was described by a guest. "It is certain that the imposture is as well known to

her Grace and her friends, as to anybody: and Hay, the Pretender's old Secretary, the only man of common honesty among them confessed to this gentleman, that he had frequently been shocked with their practices, and had run away to keep out of the infamy; though he had afterwards the weakness to yield. Carnegy, one of the party, knows the roguery as well as the rest, though I do not hear anything of his scruples."

Boswell threw himself into "the Cause" with almost as much enthusiasm as he did into that of the Corsicans. No doubt his friend often made him "empty his head" of the matters. He was on the side of the claimant, and really worked hard with both speech and pen. "The Essence of the Douglas Cause" is a really painstaking abstract of the case, in which he puts forward very skilfully the strong points on both sides. He is credited with a full report of the judgments given by the Court of Session, which professes to be more full and correct than what was given in the papers. He also wrote an allegorical tale entitled "Dorando" in which the whole story is told under feigned names. It is rather a feeble, purposeless production. It had nearly brought him into trouble, as it was considered "a contempt of court," the case being *sub judice*. These exertions recommended him to the Douglas party, and his name was therefore added to the long array of counsel.

In 1778, as he writes to his friend, he purposed coming up to London in February, "as I think it creditable to appear in the House of Lords as one of

Douglas's counsel, in the great and last competition between Duke Hamilton and him." Of course this would have been merely an ornamental appearance. Boswell used to complain that Johnson did not take interest in the great case, which in the year of decision was a subject of general discussion, particularly in 1768. "I found he had not studied it with much attention." Johnson's view ought to have been a fair and sound one for "Bozzy." Positive proof of the fraud he did not think necessary; the judges should decide according to probability, but granted to the defendant that the presumption of filiation was strong in his favour. "And I think too," he added, "that a good deal of weight should be allowed to the dying declarations, because they were spontaneous." Hence his sagacious mind had seized on the main points of the controversy. His judgment, however, was for the Hamiltons. He would not praise Andrew Stewart's letters to Lord Mansfield—"elegant and plausible" as Boswell called them.

The richest scene in this connection occurred when the travellers came to Inverary Castle on their Scottish tour. It is as good as anything in the old Comedy. After "fishing" successfully for an invitation to dinner, he was asked would he not have some tea. "I thought it best to get over the meeting with the Duchess this night." He was conducted to the drawing-room by the Duke, who "announced my name—but the Duchess who was sitting with her daughter, Lady Betty Hamilton, and some other

ELIZABETH GUNNING, DUCHESS OF HAMILTON

After a painting by C. Read.

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ladies *took not the least notice of me.* I should have been mortified at being thus coldly received by a lady of whom I, with the rest of the world, have always entertained a very high admiration, had I not been consoled by the obliging attentions of the Duke."

On the next day they came to dinner. "Though sensible I had the misfortune of not being in favour with the Duchess, I was not in the least disconcerted, and offered her some of the dish before me. I knew it was the rule of modern high life not to drink to anybody, but that I might have the satisfaction for once to look the Duchess in the face, with a glass in my hand, I, with a respectful air, addressed her, "My lady Duchess, I have the honour to drink your good health."

Boswell lamented to Johnson the neglected state of the Holyrood churchyard, and particularly complained that "my friend Douglas," the claimant, and "representative of a great house and proprietor of a vast estate, should suffer the sacred spot where his mother lies interred to be unroofed and exposed to all the inclemencies of the weather." This lament seems absurd enough, as the roofing of Holyrood Palace would be not only beyond the means, but beyond the powers of a private person. Johnson replied good-humouredly, "Sir, sir, don't be too severe upon the gentleman, don't accuse him of want of filial piety! Lady Jean Douglas was not his mother." Here "Bozzy" showed his usual indiscretion, for his "friend Douglas" could not have been pleased at such a

reproach being printed. "He roused my zeal so much that I took the liberty to tell him he knew nothing of the cause, which I do most seriously believe was the case."

Johnson's criticism of the decision, so contradictory in the two countries of Scotland and England, is characteristic of his strong common sense. "Sir, you will not say that the Douglas Cause was a cause of easy decision, when it divided your court as much as it could do, to be determined at all. When your judges are seven and seven, the casting vote of the President must be given on one side or the other: no matter, for my argument, on which: one or the other *must* be taken; as when I am to move, there is no matter which leg I move first. And then, Sir, it was otherwise determined here. No Sir, a more dubious determination of any question cannot be imagined."

Boswell, always painstaking and industrious, made, it seems, a regular report of the "judgments." He describes how he came specially to Edinburgh for a purpose. In his own clear and pleasant style he gives a full account of the case. ("A Summary of the Speeches, Arguments, and Determinations, &c., by a Barrister-at-Law." Edinburgh: Francis Robertson, 1768.)

"I was at my country house accordingly, when I received a distinct and entertaining account, which not only gave entire satisfaction to me, but also raised my curiosity to such a pitch, that I resolved immediately to accept of my friend's invitation, and

go to Edinburgh to hear the decision in this great cause. I accordingly met my friend at Edinburgh by appointment, about the 20th June, as every body at that time expected the cause would come on to a decision upon the 24th of that month. However, the Court of Session being, it seems, desirous to have Isabel Walker examined in their own *presence* (she having been formerly sworn by commissioners appointed by the Court), her examination, which lasted for some days, together with some other incidents in the course of business, obliged their Lordships again to delay the cause till the 7th July, upon which day it accordingly came on.

"Mean while I employed my time at Edinburgh in seeing the curiosities of that ancient city; amongst which, I was most pleased with a leisure view of that excellent collection of books belonging to the faculty of Advocates, and which is one of the finest that is in Great Britain, worthy of that respectable society to which it belongs. I also went every day into some one of their courts of justice, and was particularly pleased with the pleadings which I heard from some of the lawyers, who generally deliver themselves with great force and energy, though I think most of them speak with too much rapidity, which, however, may be owing to the *fervidum genus Scotorum*, as Tacitus says of their ancestors. I have no where seen any court of justice make a more respectable appearance than the Court of Session. This Court consists of the Lord President, who is the same there as our Chief

Justice here, and *fourteen* ordinary judges. They are called either by the stile of *Senators of the College of Justice*, or *Lords of Council and Session*; and from time immemorial they have acquired, by the courtsey of the country, the title of *Lords* after the *name* of their respective estates, by which title they are distinguished in the course of their procedure in the Court, as well as out of it.

"It will appear, That at the time of the institution of this Court, they were intended to serve as the great jury of the nation, to try the *fact* as well as to judge upon matters of *law*; and it is certain, that in all cases of proofs they act as a jury to this day.

"The Lord President of the Court of Session has a vast province, it being his business to state and resume, if he shall think it necessary, all cases before the Lords, whether upon pleadings at the bar, reports made by the judges, or petitions wrote by the lawyers: and, in short, to superintend the whole business of the Court. He who at present fills that station, is thought by his country to be a man of great abilities and worth, of unequalled industry, and of great dispatch in business.

"The Lord President has no vote but where the Judges come to be equally divided; in which case his casting voice may determine the greatest matters of property, as it did actually in this very cause.

"The 7th July being come, my friend procured me a seat in the Court, which being small and much crowded, became intolerably hot: however, I made

shift to sit it out, and take down the reports of that day, and every other day, during the dependence of this great cause. The judges took up no less than eight days in delivering their opinions upon the cause; and at last, by the President's casting voice, they pronounced a solemn judgment in favour of the *plaintiffs*. Immediately after that judgment I returned home to England, where having occasion to show the following summary of the reports to several of my friends, they advised me to publish them for the satisfaction of the public. This I at first declined, as I expected, that some of the Scots lawyers might have been led to gratify the curiosity of the public in this particular. But finding that many of the booksellers in London were making eager enquiries for the reports of the *Scots judges* upon this cause, I then resolved to present the public with my own collection, to which I thought the letter sent me from Scotland, might serve as a proper *preface*, and therefore I got leave of my friend to publish it accordingly."

The judgments and proceedings of the Court of Session, on the question of "Reduction" of the Service given on (July 7, 1767?) are interesting from the variety of judicial character and expression there revealed. Some are poor and rather trivial, others deal with the matter in a larger spirit. There is a certain piquancy in the language of those eccentrics, Lords Monboddo and Auchinleck. The latter, for a wonder, took the same side as his son did. We turn, however, with most interest to the views of Lord

Hales and of Lord Kames, both distinguished men. Lord Hales' is perhaps the best because it goes over most of the ground, and is very convincing indeed.

There is a quaintness and old fashion in the names of the judges who heard this case. "I have nowhere seen," wrote Boswell in his account, "any court of justice make a more respectable appearance than the Court of Session. It consists of the Lord President, who is the same there as our Chief Justice here, and fourteen ordinary judges" (these are styled Lords Ordinary). "They are called either by the style of *Senators of the College of Justice* or *Lords of Council and Session.*" Those who heard the momentous case were: The Lord President, Lord Strichen, Lord Kames, Lord Auchinleck, Lord Coalston, Lord Barjarg, Lord Alemore, Lord Elliock, Lord Stonefield, Lord Pitfour, Lord Gardenston, Lord Kennet, Lord Hales, Lord Justice Clerk, and Lord Monboddo.[1]

[1] Most of these judges are mentioned in James Boswell's "Court of Session Garland" which evidently satirises some of their peculiarities :—

"Lord Auchinleck, however, repelled our defence
And, over and above, decreed for expense.
Alemore the judgment as illegal blames ;
'Tis equity you b——h,' replies my Lord Kames.

'This cause,' cried Hailes, 'to judge I can't pretend—
'For *justice*, I presume, wants an *e* at the end.'
Lord Coalston expressed his doubts and his fears,
And Strichen threw in his '*Weel, weels*' and 'Oh dears.'

Five of these names are very familiar to us.

The Lord President, Robert Dundas of Arniston, son of a former Lord President, was a man of much mark, having filled several high offices. He was considered one of the best of the line of Lord Presidents, and was only about fifty-three or so when he gave his voice in "the Cause." He had virtually reformed the Court of Session; but the Douglas Cause threw the whole into confusion, and turned all

> This case much resembles the case of Macharg,
> And should go the same way, says Lordie Barjarg.
> 'Let me tell you, my Lords, this cause is no joke,'
> Says, with a horse laugh, my Lord Elliock.
>
> 'To have read all the papers I pretend not to brag,'
> Says my Lord Gardenstone, with a snuff and a wag.
> Up rose the President—and an angry man was he—
> 'To alter the Judgment I can never agree.'
>
> The East wing cried 'Yes' and the West wing cried 'Not,'
> And it was carried 'adhere' by my lord's casting vote.
>
> * * * * *
>
> Lord Stonefield, unwilling his judgment to pother
> Or to be anticipate, agreed with his brother.
>
> But Monboddo the Bill was clear to enforce,
> Because, he observed, 'twas the price of a horse.
> Says Pitfour with a wink and his hat all a jee,
> 'I remember a case in the year twenty-three.'
>
> 'The magistrates of Banff, contra Robert Carr
> I remember well—I was then at the bar.'
> Lord Kennet also quoted the case of one Lithgow
> Where a penalty on a Bill was held *pro non scripto*."

the judges into partisans, so that all could tell beforehand how each would decide.[1] The President in consequence became highly unpopular with the Edinburgh mob, and during the exciting rejoicings with which the verdict of the House of Lords was welcomed (in March, 1769), they attacked his house and insulted him in the streets.

Lord Auchinleck was Boswell's father; Lord Alemore—Mr. Pringle—was famous as an orator; Lord Kames was Henry Home, well known for his metaphysical writings; Lord Hailes was Sir David Dalrymple, an historical writer of distinction; Lord Coalston was George Brown;[2] Lord Strichen was Alexander Fraser; Lord Barjarg—a rather odd and grotesque name—was James Erskine, but later became Lord Alva. He was exceedingly small, hence was jocularly styled "Lordie"; Lord Elliock was James Veitch; Lord Gardenston was Francis Garden; Lord Stonefield was John Campbell; Lord Monboddo James Burnet; Lord Pitfour James Fergusson; and Lord Kennet was Robert Bruce. At the present moment there are only two of the Scotch judges who have not taken their titles from their surnames, namely, Lords Kyllochy and Kincairnie.

It will be noticed under what peculiar conditions the

[1] Ramsay, "Scotland and Scotchmen," p. 339.

[2] A story was told of some young girls letting down a cat as he was looking out of a window straight on his wig, and of their drawing up both cat and wig.

case was presented to the court. All the issues involved were matters of fact, and it might have been expected would have been tried by judge and jury, as in England. But juries were not known at this time in Scotland. So we find the whole College of Judges acting as a jury, and dealing with the case as a jury would. It was, in fact, as Boswell says, "the great Jury of the Nation."

Two of the judges had been counsel in the case, viz., Lords Gardenston and Monboddo; and they, as was to be expected, supported the view they had taken when at the bar. It was curious that no notice was taken of this fact, but their voices did not affect the matter, as there was a majority on the other side.

The Lord President might be considered the judge presiding. "He who at present fills the office," says Boswell, "is thought by his country to be a man of great abilities and worth, of unequalled industry and of great despatch in business. The judges decided, by the casting vote of the President, to "reduce the Service," and set aside the jury's verdict. The Hamiltons were therefore victorious.

CHAPTER XVII

THE HOUSE OF LORDS

BOTH parties now prepared themselves for the final struggle—the appeal to the House of Lords. The best talent was secured; money was not spared; very high fees were given to the counsel—300 guineas each for the consultation and 20 guineas a day. It was uncertain whether the twelve judges would be called on to attend. All the world was reading the story and the details. On the fortunes of a rising young barrister the case was to have remarkable influence. Its dramatic character thus was to affect those who became connected with it. At one of those popular debating societies which were a feature of the time, Thurlow, then attracting attention and on the road to success, found time to take up the discussion of the Douglas Cause. Some speaker was dealing with it in a rather confused and ignorant way, when Thurlow stood up and showed the most remarkable knowledge of the case, putting forward the most ingenious arguments, though these were against his own convictions. It chanced that two Scotch

agents who had come to town on this business were present and were so struck with the ability he displayed that they waited for him outside and spoke to him. The result was that he received a brief in the case on the side of the young claimant.

That uncertainty of mind which led the brilliant but unhappy Yorke to self-destruction was to be further illustrated by his behaviour in his suit. The Duchess of Douglas fancied that she had retained him, but found that he had engaged himself to the Hamiltons. She said to him in her rough way, "In the next world where will you be, for we have all had you?" His speech, however, made little or no impression. Lady Louisa Stuart paid a visit to her and was struck by her agitation. "The anxiety she is in made my heart ache. She said the cause was just, and she thought the House of Lords thought so, but still, till it was over, she could enjoy no peace." Then the young claimant came in. He showed all through the utmost composure. When this lady was paying a visit to Lady Holland the rival Duchess of Hamilton entered and took away the lady of the house for some private conversation. She had come to canvass Lord Holland. She was untiring in exertions—restless, "fussing" everywhere, and not sparing Royalty itself. Lady Charlotte Finch, who was about the Court, gave out that "she talked too much, and improperly and continuously brought up the subject to the King and Queen, who gave no answer."

The case was opened on January 18th. Douglas's counsel were the Lord Advocate and Sir Fletcher Norton ; for the Hamiltons, were Yorke, Wedderburn, and Dunning. Sir Fletcher Norton followed, and finished on the same day, reserving further arguments for his reply. Mr. Yorke began on the 24th, spoke for three hours and a half and ended on the 25th. Wedderburn then began, continuing on the 26th, when he spoke for four hours and a half, resuming on February 7th. Dunning began on the 10th, and spoke for five hours. Norton replied on the 20th, when he spoke until next day. The Lord Advocate Montgomery, who opened for Douglas, spoke for thirteen hours in three days and with applause. Mr. Charles Yorke was the least admired. Mr. Wedderburn (for the Hamiltons) spoke "with greater applause than was almost ever known. Neither Dunning nor Norton did well. The Duke of Bedford, Lord Sandwich, and Lord Gower were the most zealous for the Hamiltons. Lady Gower (Lady Susan Stuart) was the intimate friend of the Duchess of Hamilton, and governing her on all other points, was very zealous for her in this cause, and secured the Bedford connection."

The "upper circles" were all in excitement as the day of decision drew near. The clever and lively Lady Louisa Stuart, who has left such agreeable recollections, was in town at the time and saw a good deal of what was going on. She found that the great ladies were actually going round canvassing

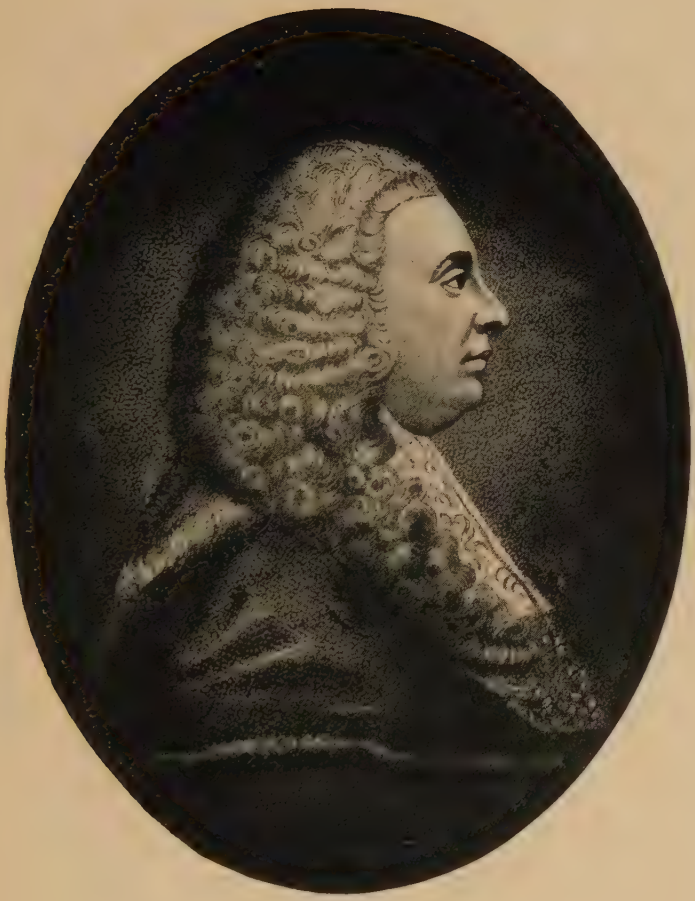
the Lords on behalf of their favourites; but it was reported that many of the Upper House had resolved not to vote at all.

The day of decision is rather dramatically described by Lady Mary Coke. She got news periodically from the House of Lords as the judgment was being given. The Duke of Newcastle had opened the debate in the claimant's favour. At four o'clock she heard from Lady Betty that the Chancellor was speaking strongly on the same side. "This put it out of doubt with me; it would go for him, so I sent no more messages." "Sam Martin told Lady Louisa Stuart"—he was a friend of Lord Camden's—"that he had been at Luton and had there from curiosity read over all the published papers and formed an unfavourable opinion of the claimant's case. He told this to Lord Camden after the decision, who gave this explanation: He said he did not wonder, for he himself at first thought it was all an imposition. 'But we lawyers have a way of threading and disentangling evidence.'"

The claimant was fortunate in having two such lights of the law as Lord Camden and Lord Mansfield with him, and so enthusiastically with him. After all the debates and discussions of so many years it must have been extraordinary, when the matter came to judgment, to hear Lord Camden declare that "a more ample and positive proof of a child's being the son of a mother never appeared in a court of justice or before any assize whatever." The exaggeration seems

ridiculous. With this view he enumerated all the statements that were offered in proof, as though they were incontrovertible and decisive, *e.g.*, "her state was notorious—*her stays were widened.*" Mrs. Hewit's deposition that she saw the children come into the world, was to him convincing. But there was laid even greater stress on the other proof arising out of the uniform tenderness shown by Lady Jean to the child. "It is proved that on every occasion she showed the tenderness of a mother; when he casually hit his head against a table she screamed out and fainted away; when her husband was in prison she never wrote without making mention of her sons. She recommends them to clergymen for the benefit of their prayers; is disconsolate for the death of the youngest; takes the sacrament and owns her surviving son; blesses him and acknowledges him in her dying moments and leaves him such things as she had. Sir John, when on his deathbed, solemnly declares before God that the appellant is the son of Lady Jean. "I make this declaration," said he, "as stepping into eternity. A king may disguise himself when in public, but he has no occasion for any mask when in private by himself."

Lord Camden's description of the skilful and energetic Andrew Stewart was a most unflattering one. He charged him with going over to France, "not to procure evidence of a real fact, but to suborn witnesses, who were to establish an article that never existed save in his own imagination. The



LORD CAMDEN, LORD CHANCELLOR.

From an engraving after Hopwood.

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Monitoire he published entirely to seduce witnesses and influence them to commit blatant perjury." His giving himself out as a grandson of the Duke of Hamilton "drove many to their own destruction in the hopes of a reward. He more particularly instances Madame Mignon, who disposed of her child." After conversing with Andrew Stewart and receiving presents from him she comes before the court and swears she had sold her child to foreigners whom she did not know. These topics seem hardly judicial, and verge on rhodomontade.

The other judge who directed the decision seemed to be no less emotional. It was extraordinary that a man of Lord Mansfield's high tone and correctness should not have seen the impropriety of the line he took. He allowed himself to be led in his view of the case by his feelings and partiality. A good part of his speech is an extravagant encomium of Lady Jean, her virtues, and the impossibility of a woman of such character doing anything wrong. This praise he actually fortified by his own experiences drawn from his personal friendship with her and his services to her. There was an impropriety in all this, but it did not seem to strike Lord Mansfield. Lord Campbell held that he had "made the worst speech he ever delivered"—"so bad as to bring suspicion upon the judgment—for he did little more than dwell upon the illustrious descent of the Lady Jean and the impossibility of any one with such a pedigree being guilty of such a fraud."

The same acute writer is surprised that Andrew Stewart should have fastened on Mansfield as an object of attack rather than on Lord Camden, who had treated him much more roughly. But it is clear that it was the flagrant partisanship of the former which he felt had done his case the most injury.

The summary of Lord Mansfield's arguments, as given in the *Scots Magazine*, is so rambling and hysterical, so weak in its law and logic, that we can hardly accept it as an authorised report. One would fancy that "Bozzy" had infused much of his own excitement and incoherence into what he sent down to Edinburgh in hurried triumph.

Like Lord Camden's, it is not judicial in tone, extravagantly partial to Lady Jean, while the topics appealed to in proof of her innocence are of a trivial kind.

Thus, speaking of the confidential and affectionate letters that passed between husband and wife, he used this rather singular illustration: "Here we read Lady Jean's own heart. It is just *as if their Lordships were to listen to the conversation of two thieves, alone and in confidence with each other.* Would they speak to each other like honest men?"

"Lady Jean," he says, "was either the best or the worst of women. . . . They should consider the strong likeness of the children to their parents; and particularly that of Sholto, said to be the very picture of his mother. Also her fondness for her children, and

showing them as hers, and that particularly she had gone with them to the Assembly at Edinburgh, where they were much observed and caressed on account of their likeness to her." The "showing them as hers," it might have been urged by the other side, was an artful device. "This affectionate correspondence," he declared, "was never intended for public inspection. *For how could they possibly dream of this case?*" This seems a very irrational gloss, for the pair, from beginning to end, must have known that their claims would never have been admitted without a process at law.

As to the *enlévement* of the French child, Sanry, by Sir John, disguised as an Irishman, it is astonishing to see how trivial are Lord Mansfield's objections and comments. "It is not natural to suppose that a British subject abroad who wanted to disguise himself for a crime should do so under the title of a British subject, or that when pronouncing the name of a place when he came, should pronounce it *Korgue*, *i.e.*, Cork." But this appears to have been the pronunciation of the French witnesses. But Lord Mansfield could see nothing that did not support the side he favoured.

The indulgent fashion in which he dealt with Sir John's untruthfulness is rather remarkable, and his comments on the La Marr forgeries are certainly prejudiced. He accounted for Sir John's way of talking by his known character, *i.e.*, of untruthfulness. "The principal story here," he said—"there was actually a La Marr, who delivered Lady

Jean—*is true*, but the ornamental part has been added by Sir John from *his too lively imagination*. These letters were forged with an innocent intention, Sir John believing that they would stop all inquiries, and that the state of his child would not be the worse for it, though they should be found out to be so. But they surely were not made use of with that view in his lifetime, at least by himself. This puts me in mind of a story of an uncle and niece. She disappeared," &c.

He describes how he came to know Lady Jean. She called one day on him, but missed him; called on a second day, and also missed him, and also the third day. When he *did* see her "*of whose beauty he had heard so much*," he found her literally, and without a metaphor, almost starving. She did not talk of her children, nor did he think it necessary to do so.

He often thought within himself, he assured the House of Lords, what advice he would have given her if she had asked it of him, which she had not. He would have just given the advice sworn to have been given by the Lord Advocate of Scotland, to give herself no uneasiness about the matter; that the law would take care of the children; that her own, Sir John's, and Mrs. Hewit's testimonies would be a sufficient security, and after their death the legal presumption would secure them against all challenge.

During his speech Lord Mansfield, overcome with heat, was about to faint, and obliged to stop. The side doors were immediately thrown open, and the Chancellor rushing out, returned soon with a

servant, who followed him with a bottle and glasses. Lord Mansfield drank two glasses of the wine, and after a time revived and proceeded.

When it came to be decided there were found only five peers on the other side. One reason for thus favouring the claimant was the legal one—that if the proof of filiation on his side was not sustained, the whole system of evidence in such cases would be overturned, and a door opened for endless disputes about filiation. The Duke of Buccleuch thought that if the law lords disagreed there was no saying how it would go, because the Peers would follow the judge they most respected. But if they united they would be determined by their opinion, that being the custom.

"Much proof," as Walpole wrote, "appeared of Lady Jean's art of hypocrisy ; on the other side little or none that she had acted like a mother, having neglected the younger child entirely for a year—the survivor proving to have all the probable appearance of a swarthy French peasant, and in no way resembling his parents, who were fair and sandy like most Scots. Lord Mansfield, however, held that 'one was the finished model of Sir John, the other the exact picture in miniature of Lady Jean.' The French," Walpole said, "inclined to the legitimacy of the children. So did the generality in Scotland, above all, the compassion in favour of the children avowed by both parents, though in truth very equivocally by Lady Jean on her death-bed."

He then described the scene: "The Duke of

Newcastle, who opened the debate but poorly, was answered by Lord Sandwich, who spoke for three hours with much humour, and dealt with the obstetrical side of the case, a subject congenial to him, which he had studied and made up. The Chancellor, it was allowed, outshone Lord Mansfield, who dealt severely with Stewart, and spoke till he fainted with the heat and fatigue. The report, however, contains none of the invectives Stewart speaks of—an omission owning to caution or timidity.

"At ten o'clock at night the decree was reversed, a sentence, I think, conformable to equity, as the child was owned by both parents, and the information not absolutely proved; yet in my opinion not awarded in favour of truth. Many very able men thought the same."

"I believe," writes Lord Campbell (v. 290), "the general opinion of English lawyers was in favour of the decision of the Court of Session, but this was produced by Lord Mansfield's wretched argument, and the very able letters of Andrew Stewart. I once studied the case carefully, and I must own that I came to the conclusion that the House of Lords did well in reasoning. There was undoubtedly false evidence on the part of the appellant, but it would have been too much to act upon the maxim, 'False in one thing, false in all things,' so as to deprive him of his birthright from misconduct to which he was not privy. There seemed no doubt that Lady Jean was pregnant, and insuperable difficulties attended his being the son

of Madam Mignon. Being in possession of the estate, I think the evidence was insufficient to deprive him of it." This is a very cautious opinion.

Dr. Carlyle in his interesting autobiography gives another account of the scene at the House of Lords, to which he was taken in the Duke of Montagu's carriage. The proceedings began at eleven, and all remained until the close, which was about nine at night, when every one was exhausted by the protracted speaking and the heat of the place. Lord Sandwich spoke for three hours, the Duke of Bedford for half an hour, "two great guns," Lords Camden and Mansfield, above an hour each. "Andrew Stewart, whom I saw sitting on the left side of the throne, seemed to be much affected at a part of Lord Camden's speech, in which he reflected on him, and immediately left the House, from which I concluded that he was in despair of success."

Boswell, who was present, wrote a rapturous account of the great day to the *Scots Magazine*. The Duke of Newcastle, he said, was "short, but strong," and in favour of the claimant. Lord Camden had made one of the ablest speeches ever heard in that or any other House, and which lasted for three hours. He was answered by the Duke of Bedford. Of Lord Mansfield he could not say too much. He cleared the ground constantly as he went on. "To say that he was great, pathetic, eloquent, is saying nothing, it was impossible to hear him without conviction."

It must be said that, after all, the victorious party

was under substantial obligations to this mercurial being. In season and out of season, through a long course of years, he had worked for "the Cause." He had issued book after book, pamphlets, papers, stories, "Essence of the Douglas Cause," reports of the speeches, &c., while his voluble tongue had never ceased. It was he who furnished the *Scots Magazine*, as I have shown, with paragraphs, reports, &c. We may conceive what was his exuberance as he went about London giving special bits of information, and exalting his own share of the business. This enthusiasm in all he took up forms the great charm and attraction of this worthy, honest fellow.

But if he were elated, there was a champion of the other side to whom the defeat must have come as a crushing, overwhelming blow. This was the indomitable Andrew Stewart who had fought so gallantly, "got up" the case with such admirable skill and industry, and under the most overwhelming difficulties. He had now to confront not merely the humiliation of defeat, but probably the discontent of his own side, who were likely enough to lay the failure to his account. But he was to prove no less calm and undaunted under defeat. There is a remarkable letter of his to his friend Baron Mure, which shows a fine spirit of fortitude :—

"There is no help for it; we cannot command events; we can only deserve success. The law has decided the fate of the day without a division, though there were many peers of opinion with us; but the

talents of law lords for public speaking dazzles and bamboozles others. I never before, nor ever shall again, wish so much to be a peer as I did yesterday, for I am sure there was not a thing said by either but what was either without foundation in fact or fallacious in argument; and any man fully possest of the Cause might easily have answered both. Such agitations as I have felt in the course of the pleadings and decision of this Cause is more than I believe I could possibly undergo again for any object whatever. I feel myself quite exhausted and sick of everything that relates to Courts of Judicature; I had almost said sick of a world where such injustice can be committed. The consolation that remains to me is that there are many valuable individuals whom I esteem, and whose friendship affords me pleasure and satisfaction."

After all these attacks on his character, which was seriously compromised by the venomous attacks made upon him, he was later to receive the handsomest *amende* from his adversaries. Lord Camden, who had branded him in the House of Lords as an unscrupulous agent, was to make him apologies. In March, 1771, Hume wrote to Baron Mure: "Lord Stair had brought about an interview between Stewart and Lord Campden," as he called him. "The first entered into explanations with him, and found that he had been misled and misinformed as to his unfair judgment of Stewart on the memorable decision. He spoke 'with much feeling and concern,'

and wished to see Stewart at his house to repeat to him these sentiments."

Andrew Stewart went to his house and owned that as complete atonement was paid to him as the case could admit. No favour was asked by the proud Scot —all came from the other side. The morning after the decision Stewart found on his table a settlement for £400 for life—the generous gift of his friend Johnston Pulteney. Not less honourable was the satisfaction given by the rough but honest Thurlow —with whom he had fought a duel at Notting Hill—who, eleven months later, sent him this *amende*. The letter was addressed to Colonel Stewart, his brother.

"Sir,—After what passed between us in January last, I have wished to take an early occasion of expressing my sense of Mr. Stewart. The final decision of the Douglas Cause gives me this opportunity and I lay hold on it to explain to you that I think him a man of honour. When the case in that cause was completed I was unacquainted with Mr. Stuart's general character. I have now heard him spoken of by very respectable persons in terms which induce me to think of him in this manner. The terms of esteem in which such persons who have known or conversed with him, speak of his character, may seem to render any attestation of mine of little use; but I have thought it right to express myself thus, that I may not be imagined to entertain a different opinion of him."

This rather clumsily worded testimony is characteristic of the future Chancellor.

As might be forecasted, the later career of this undaunted man was to reflect his very notable qualities. After vindicating the cause of his younger brother, Colonel Stewart, who he thought had been dealt with unjustly by the East India Company, he was elected to Parliament for Lanarkshire. Lord North appointed him to the Board of Trade, and in 1790 he was elected for Weymouth, which he represented until his death in 1801. Four years before that event he succeeded to the family estate, and in the year following to another large estate.

Hume, when the news came to him in Paris, was struck with "very sensible indignation at the decision, though I foresaw it for some time. It was abominable with regard to poor Andrew Stewart, who had conducted the Cause with singular ability and integrity: and was at last exposed to reproach which unfortunately can never be wiped off. For the Cause, though not in the least intricate, is so complicated, *that it will never be reviewed by the public:* who are besides perfectly pleased with the sentence: being swayed by compassion and a few popular topics. To one who understands the Cause as I do, nothing could appear more scandalous than the pleadings of the two law lords. Such gross misrepresentation, such impudent assertions, such groundless assertions never came from that place. But all was good enough for their audience." "Lord Beauchamp and Dr. Traill, our

chaplain," he wrote in 1764, "passed four months last summer in Rheims, where this affair was much the subject of conversation. Except one curate, they did not meet a person that was not convinced of the imposture. M. de Puissieux, whose country seat is in the neighbourhood, told me the same. Can anything be more scandalous and more extraordinary than Frank Garden's behaviour?" This Garden had actually given judgment in the Cause, as did Lord Monboddo. Both had acted, the latter as junior, the former as senior counsel for the Douglas party in the French process.

On March 2nd, at night, the great news reached Edinburgh, carried by express. There was tremendous excitement with illuminations and riots. The windows of judges known to have decided against the claimants—such as the Lord President, Douglas of Arniston, with Miller, the Lord Justice Clerk—were broken and the military had to be called out. The Hamiltons were also visited and required to illuminate. The magistrates issued a proclamation next day denouncing these outrages on "the supreme judges of the land," and offering rewards for discovery of offenders. The calmness and composure of the young plaintiff during the eventful day was remarkable. He showed no anxiety, and allowed the Duchess of Queensberry to carry him to Kew Palace, there to await the decision. Is it straining a point to say this behaviour is more characteristic of a Frenchman than an Englishman, as the former

always knows well how to play his part with due effect in such a situation?

The Duchess of Douglas was to survive her husband and her victory until October 24, 1774. She was full of high notions of her own state, and travelled about the country attended by a guard of halberdiers. She celebrated her triumph in "the great Cause" in curious fashion, by bequeathing an estate to her brother's son to be called THE LANDS OF DOUGLAS-SUPPORT, the arms attached to which were to be a woman trampling on a snake and bearing a child crowned with laurel. We have just one little glimpse of her at a dinner party in Edinburgh, given by "Bozzy" to his great friend; but he only mentions her name.

Twenty-three thousand pounds were the costs of the winning side. In our day—witness the Tichborne Case—they would have reached £100,000. The fortunate young man was welcomed everywhere, honours were heaped on him, he entered Parliament, was created a peer. He was known everywhere for his state and affability. His carriage with four high-mettled steeds and outriders were recognised on the highways. The young heir was indeed destined to furnish one more argument against his parentage by proving that he had not inherited the smallest share of his accepted parents' erratic temperament. Nothing could be more sober, orderly, or prudent than his behaviour. When the issue of his case was hanging in the balance he alone showed no

excitement, and when the decision was announced to him he received the news with calmness and modesty. The same restraint and good sense was shown in alliances that he contracted, which were of a distinguished kind. His first wife was Lady Lucy Graham, the only daughter of the Duke of Montrose, whom he married in June, 1771. His second wife, married in May, 1783, was Lady Francis Scott, sister of the third Duke of Buccleuch.

But at this point we may pause a moment to consider what appears to me to be one of the most extraordinary of the incidents in this most extraordinary case. Thus happily married, and twice over, Lady Jean's son had the most ample promise of handing down his hard-won inheritance. For he was to have no less than *eight sons* and four daughters born to him. The succession, which was perilously near extinction by the death of Sholto, was surely now secure. Yet—and it seems hardly credible—every one of these eight sons were to be childless and every one of the four daughters—who all married—none save one had children—the sole one out of a family of twelve! Four of the eight sons died before their father, the others came to the title one after the other—and passed away. The single child who had children married Lord Montague, son of the Duke of Buccleuch. She was Jane Margaret. Except her all had died off, and in 1837 she inherited all the Douglas estates. Now it is always an arrogant thing to interpret the judgments of Providence, but when we think that

JANE, LADY MONTAGUE, GRAND-DAUGHTER OF LADY JEAN DOUGLAS.

From a portrait in the possession of the Earl of Home.

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the first result of "the great Douglas Cause" was to divert the estates to the House of Buccleuch and extinguish that of the Douglases, it does not look as though "luck or grace," as it is called, followed them. But the estates were not to rest with the Buccleuchs, but were to travel even further. This Lady Montague was to have no son but four daughters. The eldest of these married the eleventh Earl of Home, and with his august house the property and estates have remained.

Now, I think of all the vagaries of the pedigrees none is more significant than this. I doubt if anything resembling it can be found. The Hamiltons must have looked on with a grim satisfaction as they saw their coveted estates taking these eccentric peregrinations, and, as it were, *forced* away from Lady Jean and her family, who had wrested it from *them*. Such is the story of THE GREAT DOUGLAS CAUSE.

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